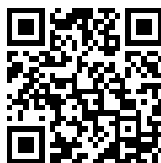

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**U.S. CONGRESS. HOUSE.
COMMITTEE ON UN-AMERICAN ACTIVITIES.**

**Hearings 1965/66
Vol. 2**



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Part 2 October 26-November 9, 1965.

Part 3 January 4-28, 1966.



**HEARINGS REGARDING H.R. 15678, H.R. 15689,
H.R. 15744, H.R. 15754, AND H.R. 16099, BILLS
TO CURB TERRORIST ORGANIZATIONS**

THE UNIVERSITY
OF MICHIGAN

NOV 10 1966

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HEARINGS

BEFORE THE

**COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES**

EIGHTY-NINTH CONGRESS

SECOND SESSION

**JULY 20, 21, AND 22, 1966
(INCLUDING INDEX)**

**Printed for the use of the
Committee on Un-American Activities**



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COMMITTEE ON UN-AMERICAN ACTIVITIES

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ALFRED M. NITTLE, *Counsel*

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States; (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution; and (iii) all other questions in relation thereto that would aid Congress in the necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 89TH CONGRESS

House Resolution 8, January 4, 1965

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

(r) Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

27. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.



HEARINGS REGARDING H.R. 15678, H.R. 15689, H.R. 15744, H.R. 15754, AND H.R. 16099, BILLS TO CURB TERRORIST ORGANIZATIONS

WEDNESDAY, JULY 20, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities, appointed July 19, 1965, to conduct hearings on activities of the Ku Klux Klan organizations in the United States, met, pursuant to notice, at 10 a.m., in Room 429, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Weltner, Ashbrook, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The committee will come to order.

Before hearing the testimony of the first witness, I would like to make a general statement about these hearings, their nature and purpose.

When the Committee on Un-American Activities announced on March 30, 1965, that an investigation of Ku Klux Klan organizations had been unanimously approved, the expected reactions came from certain quarters.

"So what?" some said. "Nothing will come of it."

"It'll be nothing but a whitewash of the Klans," others said.

Still others claimed that the committee had decided to investigate the Klans only to have an excuse, or to provide specious justification, for later efforts to harass "liberals" or to try to discredit the civil rights movement.

Today, the committee's record speaks for itself. We made an intensive investigation of the Klans for a period of 6½ months. Between October 19, 1965, and February 24, 1966, we held 36 days of hearings and received the testimony of 187 witnesses. The transcript of the hearings runs to over 4,000 pages.

Never before in the history of the United States has so much information about the Klans been placed in a public record.

The committee stuck to the purpose of the hearings expressed in my opening statement of October 19, 1965—the development of facts about Klan organization, structure, strength, and activities. The hearings were objective. They were certainly not a whitewash of the Klans. And the Klan witnesses' consistent failure to deny the facts about their activities, with which they were confronted, proved to me, I believe, that the committee did not go to the other extreme of unfairly trying to paint the Klans any worse than they are.

The resolution adopted by the committee on March 30 of last year stated that its investigation of the Klans was to be made "for the purpose of aiding Congress in any necessary remedial legislation." That meant that statement.

On June 14 of this year, after our investigative hearings were completed, I introduced a bill which, as I said on the House floor, was designed to punish, curb, and eliminate the reprehensible, terrorist activities of the Klan movement. Identical bills have been introduced by three other members of the committee and also by Mr. Minish. I believe that these bills provide the medicine we need to cure the disease with which Klanism would infect our society. And the disease can be described in a few words: harassment, hate, intimidation, violence, including whippings, assaults and, yes, even murder.

These hearings are being held today to obtain the views of various witnesses concerning these bills, to listen to their criticisms of them or to any recommendations they might have for strengthening or improving them.

I would like to emphasize that the bills before the committee are not civil rights bills; they were not intended to be such. This committee has no jurisdiction in the field of civil rights as such. The determination to investigate the Klans was based on its authorizing resolution which empowers the committee to investigate subversive and un-American activities, and all activities, whether of domestic or foreign origin, which attack the principle of the form of government as guaranteed by our Constitution.

The House, by an overwhelming vote on April 14, 1965, approved the committee's determination to make its investigation on that basis.

One of the purposes, and an important purpose, of these bills is to provide legislative medicine against the infection of klanism. That is not their only purpose.

The evil effects of Klan activities, as brought out in our hearings and also as generally known—have convinced me, and other members of the subcommittee as well, that this country cannot tolerate terrorist activity by any organization, whether or not it is of the Klan type. For this reason, the bills we are now considering have been drawn in such manner that they would not be limited in their application to Klan organizations. They would strike at any clandestine group engaging in terrorist activities.

At the same time, we have made careful effort to draft these bills so that, taken in their full context, they make it clear that they are not intended to embrace bona fide secret organizations. I will have much to say about this during the course of these hearings and, in that connection, we will really be formulating legislative history.

I might as well say now that I have been a lawyer for 40 years. Most of the members of this committee are lawyers. We have the most able counsel on our staff that we could assemble. We gave ve

very, very careful thought to the framing of this bill in order to make definitions such as that of a clandestine organization just right, not too loose so as to embrace bona fide fraternal or other organizations, and not so stringent as to fall within the pitfalls of possible violation of the bill of attainder provisions of the Constitution. I think we avoided those pitfalls and I think we came out with language that fits exactly what we have in mind and outlines what ought to be done with reference to terroristic activities of the type engaged in by Klan organizations.

The bills before us are based on the conviction that the U.S. Constitution does not condone or protect organized harassment of, or the terrorizing, flogging, beating, mutilation, injuring, or killing of, American citizens by *any* group on *any* pretext.

They are not minority or special interest bills in any sense of the word. They are not designed to give special protection to certain persons because they are members of a particular race, color, or creed. There are no such limitations on their application.

They are designed to protect the lives and persons of all American citizens against the organized efforts of any clandestine group which uses force, violence, or any unlawful means to impose its political, economic, social, or other policies, practices, or beliefs on others, or attempts to punish others because they do not conform to, or because they act contrary to, the policies, practices, or beliefs of the organization.

I would like, before calling our distinguished first witness, also to read into the record at this time the following letter from my good chairman, Emanuel Celler, chairman of the Judiciary Committee. It is dated July 19, 1966.

Dear Mr. Chairman:

I am addressing this letter to you trusting that you will see fit to introduce this into the record of the hearings on H.R. 15678, to amend the Internal Security Act of 1950, and for other purposes.

I followed most carefully this Committee's investigation of the Ku Klux Klan. I did so because many had expressed to me the misgivings about the purposes of the Committee on Un-American Activities and had questioned its objectivity. Indeed, many had asked me as Chairman of the Committee on the Judiciary to undertake these investigations because of their misgivings of the Committee on Un-American Activities.

Having spoken to you prior to the commencement of these hearings, I had no hesitancy in advising those with whom I spoke of my conviction that the hearings would be thorough, productive, and objective. I am more than pleased to be able to say that my conviction was completely justified. When the record is printed, this country will be supplied with authoritative information on the who and what and how of the Ku Klux Klan, and with this record no individual can absolve himself by saying he did not know of the Klan's terroristic activities and the degree of hatred and violence for which it stands.

The sincerity of this Committee and its wish to reach at this evil are now firmly established.

Sincerely yours,

/s/ Emanuel Celler,
EMANUEL CELLER,
Chairman.

I am delighted to comply with the wish of my good chairman in putting his letter in the record.

(A copy of Mr. Willis' bill, H.R. 15678, follows:)

89TH CONGRESS
2D SESSION

H. R. 15678

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 1966

Mr. WILLIS introduced the following bill; which was referred to the Committee on Un-American Activities

[H.R. 15689, introduced by Mr. Weltner on June 14, 1966; H.R. 15744, introduced by Mr. Minish on June 16, 1966; H.R. 15754, introduced by Mr. Ashbrook on June 16, 1966; and H.R. 16099, introduced by Mr. Senner on June 30, 1966, are identical to H.R. 15678.]

A BILL

To amend the Internal Security Act of 1950, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Internal Security Act of 1950 is amended by add-
4 ing at the end thereof the following new title:

5 “TITLE IV—ORGANIZATIONAL CONSPIRACIES

6 “SEC. 401. This title may be cited as the ‘Organiza-
7 tional Conspiracies Act of 1966’.

8 “FINDINGS OF FACT

9 “SEC. 402. The Congress of the United States hereby
10 finds and declares that—

11 “(1) There exist within the United States certain clan-

1 destine organizations which in varying degree and manner
2 engage in activities which adversely affect the general wel-
3 fare of the United States and tend to subvert constitutional
4 processes.

5 “(2) Such organizations endeavor to effect certain social,
6 economic, or political objectives without regard to the pro-
7 priety of the means, and frequently engage in activities de-
8 structive of the peace and security of the United States.

9 “(3) These organizations, though often unrelated to one
10 another, and having different objectives or purposes, share,
11 nonetheless, the common traits of secrecy and a pattern and
12 practice of intimidating, threatening, or otherwise coercing
13 citizens of the United States to compel such citizens to do or
14 not to do those acts which will conform with the purposes
15 and objectives of such organizations.

16 “(4) Due to the nature and scope of such organizations,
17 and the existence of affiliated elements, working toward
18 common objectives in various States of the Nation, the ac-
19 tivities of such organizations affect interstate and foreign
20 commerce.

21 “(5) Although Federal agencies have undertaken a
22 sustained and vigorous enforcement of laws hitherto enacted,
23 activities of the kind above set forth continue to expand
24 and pose an increasing threat to the security of the Nation
25 and the peace and tranquillity of its citizens. In order to

1 advance the general welfare, to preserve constitutional proc-
2 esses, and to secure to all citizens the protection of life,
3 liberty, and property to which they are entitled under the
4 Constitution and laws of the United States, it is therefore
5 provided:

6 "DEFINITIONS

7 "SEC. 403. For the purposes of this title—

8 "(1) 'Attorney General' means the Attorney General
9 of the United States.

10 "(2) The term 'person' means an individual or an
11 organization.

12 "(3) The term 'organization' means any group, society,
13 association, or any chapter, branch, unit, or affiliate thereof.
14 and any partnership, trust, foundation, fund, or combination
15 of individuals associated together for joint action on any
16 subject or subjects, whether incorporated or not; and in-
17 cludes two or more members thereof combined or con-
18 federated for any purpose, or acting in concert to perform
19 any act.

20 "(4) The term 'clandestine organization' means any
21 organization (A) which conceals, or attempts to conceal,
22 its name, activities, or membership, or the name, activities,
23 or membership of any chapter, branch, unit or affiliate
24 thereof by the use of cover names, codes, or any deceptive
25 practice or other means, or (B) whose members shall be

1 required, urged, or instructed, or shall adopt any practice.
2 to conceal their membership or affiliation and that of others
3 in or with such organization, or (C) whose members shall
4 take any oath or pledge, or shall administer any such oath
5 or pledge to those associated with them, to maintain in
6 secrecy any matter or knowledge committed to them by
7 the organization or by any member thereof, and (D) which
8 shall transact business or advance any purpose at any
9 secret meeting or meetings which are guarded or secured
10 against intrusion by persons not associated with it.

11 “(5) The term ‘criminal conspiracy’ means any orga-
12 nization in the United States—

13 “(A) which advocates, teaches, or employs, or

14 “(B) which within three years prior to the filing
15 of any action or other proceeding by the Attorney
16 General against such organization pursuant to section
17 412 hereof, has engaged in, or

18 “(C) whose leaders, officers, or members, within
19 the aforesaid three years, in furtherance of any purpose,
20 objective, or plan of such organization, have participated
21 in, aided, or encouraged, or

22 “(D) any part of the resources of which have been
23 applied, within the aforesaid three years, in aid or to-
24 ward the commission of,

25 acts of violence, intimidation, or harassment, for the purpose

1 or having the effect of coercing any citizen or class of
2 citizens of the United States to do or not to do any act or
3 thing, or to engage in or refrain from engaging in any course
4 of conduct, to conform with any purpose, objective, or plan
5 of such organization.

6 "PROHIBITED ACTS

7 "SEC. 404. Unlawful travel or use of facilities in com-
8 merce.

9 "(a) Any person who, being a member or agent of a
10 clandestine organization and acting in furtherance of or in
11 relation to any purpose, objective, or plan of such organiza-
12 tion, moves or travels in interstate or foreign commerce or
13 uses any facility in interstate or foreign commerce, includ-
14 ing the mail, with intent to—

15 "(1) commit any crime of violence to the person
16 or property of another, or

17 "(2) promote, manage, or facilitate the commission
18 of any act specified in subparagraph (1),
19 and thereafter performs or attempts to perform any act
20 specified in subparagraph (1), or

21 "(b) Any person who conspires with or solicits any
22 such person described in subsection (a) to move or travel
23 in interstate or foreign commerce or to use any facility in
24 interstate or foreign commerce, including the mail, for any

6

1 of the purposes specified in subparagraphs (1) and (2)
2 above, upon any such act as specified in said subparagraph
3 (1) being performed, or attempted, by such person described
4 in subsection (a),

5 "Shall be fined not more than \$10,000 or imprisoned not
6 more than twenty years, or both; and if death results from
7 the commission of any such act, shall be subject to imprison-
8 ment for any term of years or for life.

9 "SEC. 405. (a) Any person who, being a member or
10 agent of a clandestine organization and acting in furtherance
11 of or in relation to any purpose, objective, or plan of such
12 organization, kills any person moving in interstate com-
13 merce, shall be punished as provided by sections 1111 and
14 1112 of title 18, United States Code.

15 "(b) Any person who, being a member or agent of
16 such organization and acting as aforesaid, kidnaps any person
17 moving in interstate commerce, shall be punished (1) by
18 imprisonment for any term of years or for life, or (2) by
19 death or imprisonment for any term of years or for life, if
20 death results to such individual.

21 "(c) Any person who, being a member or agent of
22 such organization and acting as aforesaid, attempts to kill
23 or kidnap any person moving in interstate commerce, shall
24 be punished by imprisonment for any term of years or for
25 life.

1 “(d) Any person who, being a member or agent of
2 such organization and acting as aforesaid, assaults any person
3 moving in interstate commerce, shall be fined not more than
4 \$5,000 or imprisoned not more than five years, or both.

5 “SEC. 406. Any person who, being a member or agent
6 of a clandestine organization and acting in furtherance of
7 or in relation to any purpose, objective, or plan of such
8 organization, willfully by force, intimidation, or threat,
9 unlawfully obstructs or impedes the free movement of any
10 citizen in interstate commerce, shall be fined not more than
11 \$1,000 or imprisoned not more than two years, or both.

12 “SEC. 407. Teaching or advocacy of force to deprive
13 citizens of rights.

14 “(a) Any person who willfully teaches, advises, or ad-
15 vocates the duty, necessity, desirability, or propriety, by the
16 use of violence, force, intimidation, or any unlawful means,
17 of (1) furthering or accomplishing any purpose, objective,
18 or plan of any clandestine organization doing business or
19 operating in interstate or foreign commerce, or (2) pre-
20 venting or hindering any citizen of the United States from
21 freely exercising or enjoying any right, liberty, privilege, or
22 immunity granted or secured to him by the Constitution and
23 laws of the United States, or

24 “(b) Any person who teaches or demonstrates to an-
25 other the use, application, or making of explosives, any ex-

1 plosive device, or any other device or technique capable of
2 causing injury to person or property, intending that such
3 explosives, explosive device, or any such device or technique
4 be employed by another to (1) further or accomplish any
5 purpose, objective, or plan of any clandestine organization
6 doing business or operating in interstate or foreign commerce,
7 or (2) injure, oppress, threaten, punish, or intimidate any
8 citizen in the free exercise or enjoyment of any right, liberty,
9 privilege, or immunity granted or secured to him by the Con-
10 stitution and laws of the United States—

11 “Shall be fined not more than \$10,000 or imprisoned
12 not more than ten years, or both.

13 “SEC. 408. Use of radio, wireless, or telephone to com-
14 mit or conceal offense.

15 “Any person who, being a member or agent of any
16 clandestine organization and acting in furtherance of or in
17 relation to any purpose, objective, or plan of such organiza-
18 tion, by means of any radio or wireless device or telephone
19 transmits, or causes to be transmitted, any message or signal,
20 with the intent to aid or assist any other person or himself
21 in the commission or concealment of any offense against the
22 United States, or to prevent detection or arrest for such
23 offense, shall be fined not more than \$5,000 or imprisoned
24 not more than five years, or both.

1 “SEC. 409. Oath or pledge to conceal offense.

2 “Any person who, in relation to the business or activ-
3 ities of a clandestine organization, administers to another, or
4 takes, an oath or pledge to conceal from lawful authority of
5 the United States any knowledge either may have, or which
6 either may thereafter acquire, of the commission of any
7 offense, or of any offense that may in the future be com-
8 mitted, by another member of said organization against the
9 United States, shall be fined not more than \$500 or im-
10 prisoned not more than two years, or both.

11 “MISAPPROPRIATION OF ORGANIZATIONAL ASSETS

12 “SEC. 410. Any person who, being an agent, officer,
13 director, or employee of a clandestine organization doing
14 business in interstate or foreign commerce, embezzles, steals
15 or willfully misapplies any of the moneys, funds, credits
16 property or assets, owned, possessed or in the custody of
17 such organization, shall be fined not more than \$5,000 or
18 imprisoned not more than five years, or both.

19 “FORFEITURE OF VEHICLE

20 “SEC. 411. Any motor vehicle which is operated upon
21 any highway in interstate or foreign commerce, by the
22 owner thereof, or by any other person with the knowledge
23 and consent of the owner, for the transportation of himself or
24 any other person, or the transportation of any firearm

1 explosive, or device capable of causing injury to person or
2 property, with the intent that such person, firearm, explosive.
3 or device shall be employed or used to commit any crime
4 of violence against the person or property of another, shall
5 be forfeited to the United States.

6 "INJUNCTIVE RELIEF

7 "SEC. 412. (a) The Attorney General may institute for
8 the United States, or in the name of the United States, a
9 civil action or other proper proceeding for preventive relief,
10 including an application for a permanent or temporary in-
11 junction, restraining order, or other order, against any
12 criminal conspiracy, or against any of its officers, leaders,
13 members, agents, confederates, and associates, whenever
14 he has reasonable grounds to believe that such criminal
15 conspiracy, or any of its officers, leaders, agents, members,
16 confederates, or associates acting in furtherance of or in
17 relation to any purpose, objective, or plan of such orga-
18 nization, is engaging in or is about to engage in (1) any
19 act or practice which is an offense against, or declared
20 unlawful by, the laws of the United States, including but
21 not limited to any act prohibited by the provisions of this
22 title, or (2) the commission of any act of violence, intimidat-
23 ion or harassment, that injures, oppresses, or punishes any
24 citizen or class of citizens in the free exercise or enjoyment
25 of any right, liberty, privilege, or immunity granted, secured,

1 or protected by the Constitution or laws of the United States.
2 In any proceeding hereunder the United States shall be
3 liable for costs the same as a private person.

4 “(b) The district courts of the United States shall have
5 jurisdiction of proceedings instituted pursuant to this title
6 and shall exercise the same without regard to whether the
7 petitioner shall have exhausted any administrative or other
8 remedies that may be provided by law.

9 “(c) In determining whether an organization is a
10 criminal conspiracy within the meaning of this title, the
11 court shall, among other relevant factors, consider—

12 “(1) the extent to which the history, traditions,
13 purposes, policies, and activities of the organization re-
14 flect patterns of threats, intimidation, harassment, and
15 violence in accomplishing its objectives and purposes;

16 “(2) the extent to which the organization, for the
17 purpose of concealing its goals and activities (A) con-
18 ceals or refuses to disclose its membership or associates,
19 or any part thereof, or (B) requires or instructs its
20 members or associates to conceal their association or
21 activities or those of others with such organization, or to
22 take oaths or pledges of secrecy, or (C) in any other
23 way operates in a secret manner;

24 “(3) the extent to which the members and re-
25 sources of the organization have been employed or

1 engaged in the commission of, or in aiding, abetting,
2 encouraging, inciting, or participating in, acts of violence
3 or intimidation or in unlawful or criminal activity;

4 “(4) the extent to which persons who are active
5 in the management, direction, or supervision of the orga-
6 nization, whether or not holding office therein, have been
7 involved in the commission of acts of violence, intimi-
8 dation, or in unlawful or criminal activity;

9 “(5) the extent to which the members of the orga-
10 nization are subject to the discipline and control of the
11 organization or its leadership.

12 “IMMUNITY

13 “SEC. 413. In any action for injunctive relief pursuant
14 to the provisions of this title, or in any case of contempt relat-
15 ing thereto, or in any prosecution instituted for the commis-
16 sion of any offense prohibited in this title, or in any proceed-
17 ing for the forfeiture of any motor vehicle as provided herein,
18 whenever in the judgment of the Attorney General, or of the
19 United States Attorney, upon the approval of the Attorney
20 General, the testimony of any witness, or the production of
21 books, papers, or other evidence by any witness in any such
22 proceeding is necessary to the public interest, he shall make
23 application to the court that the witness shall be instructed to
24 testify or produce evidence, and upon order of the court such
25 witness shall not be excused from testifying or from produc-

1 ing books, papers, or other evidence on the ground that the
2 testimony or evidence required of him may tend to incrimi-
3 nate him or subject him to a penalty or forfeiture. But no
4 such witness shall be prosecuted or subjected to any penalty
5 or forfeiture for or on account of any transaction, matter, or
6 thing concerning which he is compelled, after having claimed
7 his privilege against self-incrimination, to testify or produce
8 evidence, nor shall such testimony so compelled, nor any fact
9 or information which may be discovered as a result of such
10 testimony or evidence, be used as evidence in any criminal
11 proceeding against him in any court except for prosecution
12 for perjury or contempt committed while giving testimony
13 or producing evidence under compulsion as herein provided.

14 "CRIMINAL CONTEMPT

15 "SEC. 414. (a) In all cases of criminal contempt aris-
16 ing under the provisions of this title, the accused upon con-
17 viction shall be punished by fine or imprisonment, or both:
18 *Provided, however,* That in case the accused is a natural
19 person the fine shall not exceed the sum of \$5,000 nor
20 shall imprisonment exceed the term of five years. The
21 accused shall, upon demand, in any case of criminal con-
22 tempt arising under the provisions of this title be entitled
23 to a trial by jury: *Provided, however,* That the accused may,
24 at the discretion of the court, be tried before a judge without

14

1 a jury, in those cases of criminal contempt committed in
2 the presence of the court or so near thereto as to obstruct
3 the administration of justice, or with respect to those cases
4 of criminal contempt to punish the misbehavior, miscon-
5 duct, or disobedience of any officer in respect to the writs,
6 orders, or process of the courts, in which the penalty shall
7 not exceed the limits fixed for petty offenses.

8 “Nothing herein or in any other provision of law shall
9 be construed to deprive courts of their power, by civil con-
10 tempt proceedings, without a jury, to secure compliance
11 with or to prevent obstruction of, as distinguished from
12 punishment for violations of, any lawful writ, process, order,
13 rule, decree, or command of the court in accordance with
14 the prevailing usages of law and equity, including the power
15 of detention.

16 “(b) An acquittal or conviction in a prosecution for
17 a specific crime under the laws of the United States shall
18 bar a proceeding for criminal contempt, which is based
19 upon the same act or omission and which arises under the
20 provisions of this title; and an acquittal or conviction in a
21 proceeding for criminal contempt, which arises under the
22 provisions of this title, shall bar a prosecution for a specific
23 crime under the laws of the United States based upon the
24 same act or omission.

15

1 "NONPREEMPTION

2 "SEC. 415. Nothing contained in this title shall be con-
3 strued as indicating an intent on the part of Congress to
4 occupy the field in which this title operates to the exclusion
5 of a law of any State, Territory, Commonwealth, or pos-
6 session of the United States, and no law of any State, Ter-
7 ritory, Commonwealth, or possession of the United States
8 which would be valid in the absence of the section shall be
9 declared invalid, and no local authorities shall be deprived
10 of any jurisdiction over any offense over which they would
11 have jurisdiction in the absence of this section.

12 "SEPARABILITY OF PROVISIONS

13 "SEC. 416. If any provision of this title or the applica-
14 tion thereof to any person or circumstances is held invalid,
15 the remainder of the title and the application of the provision
16 to other persons not similarly situated or to other circum-
17 stances shall not be affected thereby."

The CHAIRMAN. Now we are very pleased and honored to have with us the distinguished Attorney General of the United States, Mr. Nicholas Katzenbach.

Mr. Katzenbach, we are very, very happy to have you, and honored to have you this morning, and look forward to your views.

STATEMENT OF ATTORNEY GENERAL NICHOLAS deB. KATZENBACH, ACCOMPANIED BY KEVIN MARONEY, ATTORNEY, INTERNAL SECURITY DIVISION, DEPARTMENT OF JUSTICE

The ATTORNEY GENERAL. Thank you, Mr. Chairman.

I have a very brief statement here I would like with your permission to read. I am accompanied here this morning by Mr. Kevin Maroney, an attorney in the Department of Justice.

Mr. Chairman, I welcome your invitation to appear before this committee. It affords a double opportunity; to salute the chairman and the members of this committee for the careful and illuminating investigation they have made of the Ku Klux Klan and also to comment on the legislative proposals you are making in H.R. 15678.

Terrorism and intimidation are an intolerable affront to the spirit and meaning of our democratic system. Though the Ku Klux Klan no longer has as pervasive and malignant an influence as it once did, we have found that it still possesses considerable and in some areas growing strength. Its activities remain a serious blight and threat.

This committee has clearly revealed a number of vital facts.

—That the strength of Klan membership is well above the common estimates;

—That Klans have frequently employed deceptive "cover" arrangements to conceal existence of their Klaverns and bank accounts;

—That many Klan officers and members have criminal records; the involvement of the Klan in several brutal killings such as that of Mrs. Liuzzo is clear;

—That within the Klan there are a number of secret organizations formed for the express purpose of carrying out acts of terrorism and violence;

—That generally members of the Klan have easy access to a variety of weapons and to training in their use, that Klan members purchase weapons from other Klan members licensed as gun dealers and that citizen band radios are often used by the Klan for communication purposes.

Mr. Chairman, you and your colleagues have brought to public scrutiny a compelling and disturbing account of organized terrorist activity.

The facts you have developed in your hearings have had the closest attention of my Department. In drafting Title V of the proposed Civil Rights Act of 1966, which seeks to deal with terror and violence, we have been conscious of your work and your findings. The Department of Justice has drawn much benefit from the searching hearings and has been pleased to cooperate. From the committee's efforts, the public now has a much fuller awareness of the structure and activities of the Klan.

As presiding officer, you have, Mr. Chairman, set an example both by your courage and the judiciousness of your approach. May I observe that you and the committee have shown a full concern for due

process and rules of fairness in the hearings. The Department of Justice had your complete cooperation in not prejudicing the right of any individuals in pending criminal prosecutions.

It is appropriate that this committee should now seek legislative remedies for the evils which it has identified. The President and the Department of Justice also are determined to find proper correctives. H.R. 15678 and Title V of the proposed Civil Rights Act of 1966 both aim at the same target. Both approaches deserve consideration.

While it is impossible for any of us to claim certainty as to the right course to counter and deter violence by Klan members, I believe that Title V of H.R. 14765 possibly represents the wiser response to the problem. Then, too, there are constitutional difficulties and problems with some aspects of the committee's bill.

And finally, in my judgment, the organizational and conspiratorial concepts upon which the bill is based might unnecessarily complicate prosecution of the perpetrators of such violence.

There are very real problems. I am not certain that all of them can be solved in a bill which is both constitutional and effective. I am sure, however, that the committee will continue to attempt to meet the problems, and it will have the cooperation of the Department of Justice in that effort.

The CHAIRMAN. Mr. Attorney General. I am very grateful for your views. May I say that you are so right in saying that the Klan organization has been operating under a really false, phony front, for their protestations of Americanism and total rejection of the methods of the Communists in operating under the cloak of front organizations.

In many respects, and I say this without making odious comparisons or equating the two, the fact still remains that the operations of the Klans and the Communist conspiracy at some points are parallel. In that connection, I commend anybody who cares to do so to read the foreword to the Annual Report of this committee to the Congress which I signed just a matter of days ago, in which I draw a parallel between the methods of operation of what I call hate groups across the board, whether they be Nazi, Communist, Klans, rightists, leftists.

Invariably, at some point, because of their similarity in certain respects, their tactics parallel. One of them is secrecy, and one of them is operation in darkness, away from the sunlight of public appearance. I have often said, and I now say, that if these groups, whoever they are, to the right or to the left, were engaged in the sale of merchandise instead of ideas and ideology, they could, let us say, hire the Astrodon of Houston, Texas, and put a great big sign advertising their commercial product, "Hate For Sale."

(At this point Representative Pool entered the hearing room.)

The CHAIRMAN. Let me say this: As cheap and as truly common as hate is, the price is high in terms of the havoc it wreaks. The price is discord, distrust, imputations of disloyalty of Government officials, operation beyond the bounds of our Constitution, and all the rest. The price of hate—as cheap as it is, I say—comes very high. And though I draw no parallel, I must repeat that, in many respects, the methods of operation, particularly as regards secrecy and false fronts of all these hate groups is just simply to adopt the same line of action.

The ATTORNEY GENERAL. Mr. Chairman, I agree with that and I think that you and the committee have performed a most valuable function in making this clear to the American public. I know that that has been effective from the reports that I have had from the Federal Bureau of Investigation as to the reactions to the 36 days of hearings that this committee has had.

The CHAIRMAN. Mr. Attorney General, some question has been raised that some bona fide fraternal or other groups might be classified as clandestine organizations and prosecuted under the present definition.

Let me point out two considerations related to this problem and then ask you a question. First, section 402, an integral part of the bill, contains congressional findings of fact which justify the proposed legislation and also spell out the nature of the groups intended to be reached by the bill.

Second, there is a difference between "secret" and "clandestine." Generally, "secret" only means concealed or not revealed. "Clandestine," however, means something that is concealed or not revealed for an illicit or illegal purpose.

We have many bona fide secret organizations in this country, and they openly proclaim they are secret. Millions of Americans belong to such groups. I belong to one of them; I am a member of the Knights of Columbus. There are probably a lot of others in the room who are members of other such groups. These groups do not consider themselves, and are not considered to be, clandestine. They are never referred to as such. They do not have illicit or evil purposes.

Now, considering these two facts, the ordinary meaning of "clandestine" as opposed to "secret," and the description of clandestine groups in section 402 of this bill, let me ask you this question: Do you take it, Mr. Attorney General, that we agree that any bona fide fraternal or civil rights organizations or groups in this country are not intended to, and actually do not, come under the definition in this bill?

Let me say before you answer, that we gave this subject, as I said a while ago, most careful consideration and we have made every effort possible not to make it too loose, and certainly not to make it too tight and so exclusive that we would run against the evil such as, for instance, of drafting a bill so that only 1 contractor out of 10,000 could supply the material. That is commonly recognized in our society as wrong. And I think that we have to avoid the evil, under the bill of attainder section of our Constitution, and not wrap up a bill so tightly that it could refer to one and no other possible organization. We tried to reach a middle ground and I think we succeeded, as our opinion—and I am now saying this for legislative purposes—because legislative purpose, when it is stated deliberately by members of a committee, is competent in interpreting a bill.

What I am saying will be repeated in the report and in the House, so that I repeat that we were very careful to do our very level best not to encompass, or to fence in or to admit under the coverage of the bill, any fraternal or other bona fide organizations and at the same time, however, not to make it exclusively a Klan bill. I will repeat that. Any organization whose objective and whose method of operation and whose common practice is terrorism would be included in the bill.

Do you not agree with me, Mr. Attorney General, in my general views?

The ATTORNEY GENERAL. Yes, I do, Mr. Chairman. I think you have been careful in that respect. Furthermore, if the definition is broad, the prohibited acts are more narrowly defined so they have actually been doing something unlawful.

The CHAIRMAN. Let me ask you one more question: Suppose for the sake of discussion that an Attorney General should try to proceed against a fraternal or bona fide secret organization under the act. Do you not think that the organization could successfully object on the ground that section 402 of the act, the definition of clandestine organization, the use of the word "clandestine" rather than "secret" in the act, the investigation out of which the bill evolved, and these hearings today, plus my statement of what we intend the bill to mean, make abundantly clear that the statute was never intended to reach such an organization?

The ATTORNEY GENERAL. I should certainly think so, Mr. Chairman.

The CHAIRMAN. Well, I appreciate that and I am glad to have you considered judgment because that is our deliberate purpose, and it will be so stated time and again in the report, during these hearings and on the floor of the House.

Mr. WELTNER. Mr. Chairman, would it be appropriate at this point to inquire of the Attorney General his view of this bill, whether it is not correct that mere membership in an organization defined as a clandestine organization carries with it no sanction whatsoever, that it is only when acts otherwise criminal in nature are performed or perpetrated by the members of a clandestine organization that any criminality attaches?

The CHAIRMAN. That is right.

In that connection we considered and wrestled with the problem of a so-called disclosure provision or the approach, let's say, of the Internal Security Act which has frustrated so many people in its enforcement. We rejected it. So you are right. The answer to your question is obvious in my opinion. In other words, membership is not made a crime, it has to do only with criminal acts of members of an organization whose dedication and purpose is bent toward terrorist activities.

Do you not agree, Mr. Attorney General?

The ATTORNEY GENERAL. Yes; there is no sanction for members here and it only involves the points that you make.

Mr. POOL. Mr. Chairman, I would like to ask the Attorney General. In this section (a) of 407, that is on pages 7 and 8, it spells out seven things there, but the thing that I think that we ought to add to the thing—I want to ask your opinion on it—should be that the purpose should be unlawful in talking about the teaching or advocacy of force to further any objective of any clandestine organization operating interstate commerce. Should we not spell out the purpose that would have to be unlawful?

The CHAIRMAN. What does "binding and lawful" mean?

Mr. POOL. Well, the trouble is you are going to get into some industrial field there, and I do not think the Attorney General would ever use the bill for that purpose, but we might as well write it up to amount to something where it would be technically right:

"furthering or accomplishing any purpose, objective, or plan of any clandestine organization doing business or operating in interstate or foreign commerce, or (2) preventing or hindering any citizen of the United States from freely exercising or enjoying any right, liberty, privilege, * * *

I think we ought to mention the purpose of being unlawful.

The CHAIRMAN. Of course it refers you to a clandestine organization.

Mr. POOL. Yes, but you are getting all the Masons and Knights of Columbus.

The CHAIRMAN. No; you are not. Are you expressing the opinion that—

Mr. POOL. I am expressing the opinion that the bill ought to have "unlawful purpose" stuck in here. That is what I am asking the Attorney General, if it should not be added to the bill.

Mr. Chairman, on page 8, under (1) there, "further or accomplish any"—add "unlawful"—"purpose, objective, or plan of any clandestine organization doing business or operating in interstate or foreign commerce".

The CHAIRMAN. I don't think we have objection to that. Let's let the staff wrestle with that. How about that, Mr. Weltner?

Mr. WELTNER. I think it is a good suggestion.

Mr. POOL. The reason I ask it now, we have the top attorney in the United States, and I want to ask his opinion on it. That is why I asked it.

The CHAIRMAN. I don't think we have objection to it.

Mr. POOL. What do you think about it, Mr. Attorney General? Do you think it is necessary?

The ATTORNEY GENERAL. I think in clause (1) where you are adding it that was the intent of the bill anyhow. I would think it would make that intent more clear, if it were added.

Mr. POOL. I think it would make it better.

The CHAIRMAN. I am quite sure we would agree with you. We appreciate your view. Keep that amendment in mind, Mr. Weltner.

Mr. ASHBROOK. Mr. Attorney General, in your statement you refer to the fact that there are constitutional difficulties and problems in some aspects of the committee's bill. I think it would be most helpful at this time if you would spell out some of these constitutional difficulties and problems so we can wrestle with them.

The ATTORNEY GENERAL. I was particularly concerned in that respect, really, with section 407 because of the various cases under the Smith Act which has somewhat comparable provisions. I think you run into some first amendment problems with respect to 407(a) unless that is very closely confined to a situation which predictably is going to have the result so it really comes very close to being advocacy of an illegal act likely to be effective in resulting in the actual commission of those acts. I think that that was one of the problems, perhaps the principal constitutional problem, that I was concerned with.

I think it is conceivable, constitutional problems with respect to the possible breadth of the definition of clandestine organization. I think the chairman has made it clear that he did not want various legitimate organizations covered there—despite the fact that a legitimate organization, I think, would have a good defense to the act—I can conceive

that other individual defendants would raise the questions of the breadth of that as being too vague and too broad and therefore unconstitutional in that respect.

The CHAIRMAN. Mr. Attorney General, I want to ask if you might perhaps supply language that we might consider and adopt that would be—I don't think we are apart at all on your objective and the view that you are expressing.

The ATTORNEY GENERAL. That is right.

The CHAIRMAN. It is a question of expressing it. I wonder perhaps if you could give us a very short, succinct memo on that, perhaps the use of simple language which might be acceptable to accomplish what you have in mind.

The ATTORNEY GENERAL. I would be happy to try to work with you and members of the staff, Mr. Chairman.

Mr. ASHBROOK. Mr. Attorney General, in relation to the Smith Act cases, as in relation to 407, aren't we even on more solid ground here because, in the Smith Act, you do have a certain nebulous area of the advocacy of the overthrow of the country, where in this case we are talking about the teaching or advocacy of specific acts of violence, teaching or training people to use fire bombs, to school them in weaponry, dynamiting, and so forth. Aren't we much closer to specific acts in avoiding some of the generalisms that seem to raise questions among Supreme Court decisions? It would seem that the point you make—you are a much more able attorney than any of us, obviously—but it seems much more close to specific acts than we are dealing with in the general advocacy of the overthrow of the country.

The ATTORNEY GENERAL. I agree with that. I have in that respect relatively little trouble with (b), although we may have trouble trying to prove it in a specific context. We have no trouble there. I have a little bit in (a) unless as part of your proof you could show that advocacy of using illegal means here actually was calculated to result in their use, that it was a sufficiently close connection between the advocacy of it and the actual probability of its being used. Then I don't think you would have a constitutional difficulty. I think that has been the intent in drafting it, to create that relationship.

Mr. ASHBROOK. I think what Mr. Willis said is correct. I have also introduced this bill, and we don't take specific pride in authorship, it is a starting vehicle and we are looking for a way to make it a better bill.

One last question: You express some preference for Title V, and I assume that the same thing would apply to you that I just said, it is not pride of authorship. At least it is not in our case with H.R. 15678 and others. If that is true, and I am sure it is, what particular areas of Title V do you think are superior to ours, and what problems or what jungle are we getting into in problems that Title V is avoiding that might give us a little comparison, a little background?

The ATTORNEY GENERAL. Yes, I would be happy to, Congressman. I am not suggesting that the overlap between the two is complete, because it is not. In Title V there are certain specific prohibitions of actual acts to be committed; that is, somebody doing something to deprive somebody of a particular guaranteed Federal right, and those are fairly broadly drafted.

Now the reason I express some preference for that is the fact that, in drafting it that way, we can deal directly with the unlawful act or

the conspiracy to commit the unlawful act and all we have to show is that the act was committed pursuant to this conspiracy and by the people who actually committed the act.

Now I could illustrate this perhaps most simply——

The CHAIRMAN. I have a question on that.

The ATTORNEY GENERAL. If I could just illustrate my point on that.

If you look at section 406, for example, you have got, "Any person who, being a member or agent of a clandestine organization and acting in furtherance of or in relation to any purpose, objective, or plan of such organization, willfully by force, intimidation, or threat, unlawfully obstructs or impedes the free movement of any citizen in interstate commerce * * *."

Now you could constitutionally draft a statute that simply said, "any person who willfully by force, intimidation, or threat unlawfully obstructs or impedes the free movement of a citizen in interstate commerce," and you would have a perfectly valid constitutional statute. Here you actually impose the obligation of proving in addition to that the membership or agency and the purpose of the organization. What we attempted to do in the other was to deal directly with the act rather than the additional proof of membership and furtherance of purpose.

The CHAIRMAN. No, I have given much thought to the views you are now expressing and I beg your pardon, but I take the exact opposite view. I think that the degree of proof under Title V of the Civil Rights Act, passed or proposed, is measurably greater than here and we must come back to this problem or we have missed the point.

This is not a civil rights bill; it is much broader.

Now I take the view, for instance, that under Title V of the civil rights bill the element of proof is motivation based on race, color, creed, or religion. Now you don't have that here. When we say, for instance, that someone commits a kidnaping, that is it. It need not be related to race or color or religion. For instance, in my opinion, there are eight sections of these bills which could not possibly be reached under the Civil Rights Act.

Let me give just one illustration: Suppose, for instance a Klansman should kill or kidnap or assault a white atheist; you can't reach him under your bill. He does not believe in God; religion is not involved, race is not involved. But we do reach him. If he kidnaps, it is a punishable act of kidnaping, no matter why he does it. I think our bill is immeasurably broader and requires less degree of proof. You don't have to prove that the crime is related to race, religion, creed, and so on. So I am afraid I disagree with you.

The ATTORNEY GENERAL. I appreciate your view.

The CHAIRMAN. As I view it, anyway, it was intended, in my mind, to be really broader than under the civil rights bill.

The ATTORNEY GENERAL. I appreciate your point, the coverage of this. This is not a civil rights bill; it covers, I assume, such activities as that of—Cosa Nostra is included in this as well as the Klan.

The CHAIRMAN. Let me hasten to say I glory in the fact that so-called minority races, colored races, will be great beneficiaries of my bill. When I say it is not a civil rights bill, I don't mean to say that civil rights issues are not presented and that minority groups are not protected. I have always taken the view, however, that this bill really is broader than the civil rights bill and that the threshold proof of race, religion, or creed is not necessary here and that, therefore, a

crime is a crime here, as such, and you don't have to have the three proof of race, religion, or creed, and so on. That has been my point of view all along.

THE ATTORNEY GENERAL. That is perfectly true, Mr. Chairman, this has a broader coverage. I believe that as a practical matter in so far as you are talking only about the Klan here, that generally the activities involved would also be covered as far as that particular organization is concerned by Title V of the Civil Rights Act, and I would be inclined to think as far as that particular organization is concerned that the proof might be easier under Title V of the Civil Rights Act. Now you are covering other organizations here which are not touched by the Civil Rights Act.

THE CHAIRMAN. We are not in disagreement, may I say.

MR. BUCHANAN. Mr. Chairman, could I just say in line with your point, sir, that, even with this particular organization, I believe the hearing covers a good deal of testimony in which a white person has been terrorized or beaten by a conspiracy, by other white persons, which would not be connected with race or color even with Klan organizations.

THE ATTORNEY GENERAL. That probably would be under Title V, Congressman, because it does not govern only attacks by whites on Negroes or Negroes on white, it covers whites against whites if it is related to any of these purposes.

THE CHAIRMAN. Let me give an illustration of the testimony in this record. In my own State of Louisiana—not in my district, thank God—we have a passage in our testimony indicating the Klans and the silly notion that the Invisible Empire, or some such foolish doctrine, has the right to regulate the politics, the thinking, the economy, everything else, and the morals of their own little community. In a certain little community in Congressman Jimmie Morrison's district the Klan leaders decided unto themselves that a 17-year-old boy whose father was dead, whose mother was widowed, somehow was hanging around pool halls—that is the word—too much.

So what did they do? Well, that didn't conform to their notion of the morals of the community or how the community should conform to their little silly world, so what did they do? They saw that boy at night, they brought him into a wooded area, they took his trousers and beat his buttocks until the blood was all over the place.

Now I say this kind of thing has got to be stopped, and it is in no sense, to take the word of our colleague from Alabama, that we are not relating this thing to color or race or religion vis-a-vis the Klan. The element of proof is probably less under this bill than would be under the civil rights bill because if it be done to a white atheist or anyone else, it can be reached under this bill.

Perhaps I have belabored the point too much but I wanted to put it in the record.

MR. WELTNER. Will the chairman yield?

MR. ATTORNEY GENERAL, under Title V of the 1966 Civil Rights Act there are three basic sections, (a), (b), and (c). Isn't it true that one of those contains the specific language that because of his race, color, religion, or national origin? For instance, Title V says, "Whoever, whether or not acting under color of law, by force, or threat of force, * * * interferes with any person because of his race, color, religion, or et cetera, and then it lists some nine activities. That is subsection

Subsection (b) provides sanctions to any person on account of race, color, religion.

Then subsection (c) contains a reference to discrimination on account of race, color, religion, or national origin.

I simply point out that specific language because, while I agree that it is important that we have the specific legislation to prevent the deprivation of the rights of citizens on account of race, color, religion, or national origin, it is also important that we extend the power to protect the citizens of this country when their rights are deprived whether or not it be on the basis of race, color, national origin.

The ATTORNEY GENERAL. You are quite correct in that. I was simply trying to point out, which I think you would agree with, Congressman, that if you look at section (b) and section (c) of that Title V it does not confine itself to interracial incidents, that you can have the situation of a white intimidating another white in the situation, or you could have the situation of a Negro intimidating a white.

Mr. ASHBROOK. That is in the civil rights context.

The ATTORNEY GENERAL. It has to be in the context of specifically guaranteed Federal rights.

The CHAIRMAN. Yes.

Mr. POOL. Mr. Chairman, in line with what you just said, then, in the case of these riots in these cities one Negro intimidating another Negro could be handled in that same manner; is that correct?

The ATTORNEY GENERAL. Yes; if the purpose was to deprive him of one of these rights or to discourage people of that race from exercising them. I was saying if you had the situation of a Negro group that attempted to prevent whites from voting through intimidation or attempted to prevent other Negroes from voting it would just be just as much covered here as—

Mr. POOL. You have an organization called RAM, I believe. Is that what you call it?

The ATTORNEY GENERAL. Yes.

Mr. POOL. It is getting to be a real serious situation here. I understand they are using radio down in Cuba, some kind of a coded deal to send instructions to these liaison people to encourage riots in cities. I don't know enough about it; I am sure the Justice Department is keeping abreast of it. This bill here and the civil rights bill, does it cover the situation, do you think? Is it sufficient?

The ATTORNEY GENERAL. I think it could cover that kind of a situation depending on what was being urged and advocated in that situation.

Now, if they are advocating just sort of senseless violence with no relationship to any of these specifically guaranteed rights, I don't think it would be covered by Title V.

Mr. ASHBROOK. Not burning property, fire bombs, things like that?

The ATTORNEY GENERAL. They are not guaranteed specific Federal rights.

Mr. POOL. Will this Willis bill cover that? That is what I am getting at.

The ATTORNEY GENERAL. I can only answer that by saying it depends on what they are advocating and urging on other people. If they are just saying that you want to—

Mr. POOL. Has your Department made any kind of statement about this RAM organization or given the public any information on it, or are you still investigating it?

THE ATTORNEY GENERAL. We are aware of the organization. I am inclined to think that the public accounts of this, such as, for example, a recent article in *Life* magazine, rather overstate its membership and effectiveness; but that such an organization exists, I think there is no question about it.

MR. POOL. Somebody has been very effective in Los Angeles and Chicago and Cleveland; they are really doing a job of disrupting the community and destroying property and injuring people. I personally would like to try to get something in this bill to govern it if you can suggest it.

THE ATTORNEY GENERAL. I would be happy to suggest. I would say, Congressman, I think at least on any evidence that I have, to say that these various incidents in the cities that you mentioned, what is going on there has been masterminded is a conclusion that I would not be prepared to come to at this point. That there have been people engaged in this, it is obvious that there has been some agitation from time to time by a whole variety of groups. I think it is clear, but I am perfectly willing to go into this and to look at the problem.

As far as investigation is concerned, we are keeping an eye on it. I would not want to create the impression that the activity of some of these juvenile gangs there has all been masterminded by Mr. Williams out of Cuba, or something of that kind.

MR. POOL. Well, the civil rights leaders themselves disown this.

THE ATTORNEY GENERAL. Yes.

MR. POOL. And lament the fact that it is going on, and that is why I think it is very easily a conspiracy because it would be part of the Communist movement to do these things while we are tied up in Vietnam.

MR. WELTNER. Mr. Chairman, may I direct the Attorney General's attention to section 407, which he previously touched upon as carrying with it certain constitutional limitations. Bearing in mind that the Smith Act has now been subject to constitutional interpretation for some 26 years, if I am not mistaken, and that we have a great body of law that hedges about any legislative enactment that in any way touches upon the advocacy of anything, would it not be true that, within the permissible constitutional area of the legislation, that this section—which specifically states that any person willfully advocating violence, intimidation, or hindering or preventing any citizen of the United States from enjoying any right, liberty, privilege, or immunity granted or secured to him by the Constitution and laws of the United States—that that section, constitutionally applied, would indeed provide criminal sanctions for an individual who incites others to riot where the inciting of riots is under the circumstance of present possibility of the urged conduct taking place.

THE ATTORNEY GENERAL. I think that is right, Congressman; yes.

MR. WELTNER. So bearing in mind the constitutional limitations and in response to Mr. Pool's question, section 407 would, indeed, provide criminal sanctions in the political arena making impassioned pleas for force and rioting. This section would provide sanctions for that.

THE ATTORNEY GENERAL. Yes; I think that is right.

MR. POOL. To come back to the question, then, is it hard to prove a case under the Willis bill, or would it be better under present laws or do we need a new law?

THE ATTORNEY GENERAL. I think, Congressman, where other laws cover the action as in instances I have given, I think they would require easier proof and be an easier vehicle, but there are situations conceded which existing law does not cover which would be covered by this act. In that case, I don't have a choice of vehicles to take.

I think it is going to be difficult to prove the membership or agency in these situations.

MR. POOL. That is unwarranted.

THE ATTORNEY GENERAL. I just say I think it is going to be difficult to prove it. Also I have some problems in relation to language which is used there. When you talk about acting in furtherance of the purpose of the organization you have got to show that they were acting, it seems to me, in some kind of agency relationship. You put in "in relation to" to avoid that, I take it, or to broaden it in some respect, but then I get involved in some difficulties as to whether that is sufficiently clear.

For example, you have a clandestine organization and it is opposed to, oh, we will say integrated schools. Now if a member goes out and blows up a school you can show he is a member of that organization. I don't know whether that is in furtherance of or in relation to that purpose, if the purpose is not stated as an unlawful purpose. I just have that difficulty.

THE CHAIRMAN. May I say in that connection, with the idea of curing that problem that you are talking about and which you recognize, someone made a proposal which I completely rejected at the word go, that maybe membership should raise a presumption. I cannot possibly conceive that, in a criminal statute, membership in should create a presumption that an action is the action of that organization.

I completely agree with your statement that it would be difficult indeed to prove agency in the normal sense of the word and possibly even that the words "in relation to" should be broadened by "furtherance of" or "in connection with." That is the sense of "in relation to" that, as I understand it, is intended to be conveyed, not to compel the Department of Justice to prove, for instance, that there was a meeting on the subject and that the members were advised of it, and so on. That simply does not take place. That is one of the evils of these organizations; they operate in cliques only. It shows that often only a few know what is going on.

I know you have read about the terrorist squads, and so on, that they have, which they do have. The members are not told about that, very few are in on it. So it would be a terrible job to have to prove agency in the sense that you and I know the word, because Klan organizations simply don't operate that way; they are not that frank with their members.

I have in mind that "in relation to" means in connection with the general objective and, in that sense, I think it can be reached.

Now I heard another person—and it may be in your mind, I don't know—suggesting that a provision in the bill dealing with—well, I will read it:

"Any person who, in relation to the business or activity of a clandestine organization, administers to another, or takes an oath or pledge to conceal from lawful authority of the United States any knowledge either may have, or which either may thereafter acquire, of the commission of any offense"—and so on—"commits an offense."

Now I have heard it said that some people have raised a question as to whether religious connotations are involved in this. Now it is my impression that, at least at State level, it has been made a misdemeanor in most States, for instance, not to report a crime. Now certainly the [taking an oath to conceal crimes] is worse. Forget the oath, this is a moral pledge or commitment to hide an offense, certainly to his knowledge of an offense—which I think is far worse than merely not reporting a crime. If failing to report a crime can be made the subject of a misdemeanor, I think that taking a pledge not to report or in the words of the statute, “pledge to conceal from lawful authorities any knowledge of the commission of any offense,” is a far worse situation than not reporting a crime. And in this instance the penalty, the fine is only \$5,000 and imprisonment of not over 2 years at the discretion of the judge.

May I say that the committee screened, Mr. Attorney General, very carefully what the penalty should be in each instance. It has been my experience on the Judiciary Committee, and we have changed all criminal statutes, that any time a statute is too ambitious and makes the punishment harsher than it ought to be, you are simply inviting no prosecution or *no pros* or no effective enforcement of that law.

I remember specifically that some years ago an airplane flew over the State of Colorado. A son had put a bomb in the suitcase of his mother. When he blew his mother to bits the plane was wrecked and the other lives were lost. Then there was a hue and cry, “What, no law against that?” It is in the air, it is not reached, there is no law, let’s make a law. Okay.

So the Judiciary Committee made the law and we made the penalty pretty severe. Do you know what happened?

Well, a year or so afterwards some commuter out of New York was going back home during the Christmas holidays and bought a package for his kids and he put the package on top where the hat usually goes, or the coat. Someone said, “What is in there?” and he said, “bomb.”

Technically that was a violation of that statute. What happened? Well, they tried to prosecute him and the jury would not convict because the penalty was too severe.

I am just saying that we have at least honestly tried not to make the penalty so ridiculous that we cannot convict.

I am firmly convinced myself, the hearings convinced me beyond shadow of a doubt, that klanism is an evil; it ought to be punished and there should be a statute under which prosecution may be commenced and undertaken and concluded; not only commenced and concluded but that effectiveness and conviction can be had.

In our opinion this bill would provide you that, try to anyway.

Mr. WELTNER. Mr. Chairman, may I return to the question of the agency, obviously where it does constitute an element of the offense as an added burden of proof. Now section 407, which I conceive to be a very important section notwithstanding the constitutional limitations on what we try to do here, I would like to point out once again that this section does not necessarily require any proof of age when the offense is that which would come within section 407(a). Section 407(a) (1) refers to a plan for clandestine organization.

tion 407 (a) (2) simply prohibits any person from willfully advocating the use of force and violence to prevent or hinder citizens in the enjoyment of any right guaranteed by Federal writ. I simply want to make that point plain because under those circumstances there is no burden of agency proof.

Mr. Chairman, if it is appropriate we have discussed several aspects of the criminal portion of this bill, and if it is the chairman's pleasure, I would like to turn to section 412, if I might, and direct just a few questions on page 10 with regard to injunctive relief aspects of your bill.

The CHAIRMAN. Let me say, Mr. Weltner, that is your handiwork and the committee has been grateful to you in injecting this thought for having injunctive relief. I, too, don't like our criminal statutes of course to reach crimes by injunction. But to reach things that way in their incipient stage is so important that I think the injunctive relief that you propose, Mr. Weltner, is completely appropriate and we are very grateful that you suggested that it be made part of this bill.

Mr. ASHBROOK. Could I ask one more question on 407 before you leave?

Mr. WELTNER. Yes.

Mr. ASHBROOK. I think maybe we skimmed by a very important point the Attorney General made and I certainly wrestled with it and the chairman mentioned it. This is the opposite of what we said before the Smith Act of the Communist Party where, you know, their intention, it is stated, has some relation to the overthrowing of the country.

In the Klan, if there is anything our hearings showed it is that they hold out to the public they are a Christian, conservative, patriotic organization, nowhere openly or publicly do they advocate violence.

Now we know that, within the Klan, at the same time, this goes on. Is this, in your opinion, a burden that is going to be impossible to carry, or do you think that there is some way that the Justice Department can, through agency, bring this in? You cannot skirt it, I don't mean avoid it, but you mentioned the problem and never really said whether you thought it was an insurmountable obstacle. That is certainly my thinking—how we can get around this.

An organization holds itself out to be one thing; is it literally an impossible burden to prove what we know to be the true Klan?

The ATTORNEY GENERAL. Well, Mr. Weltner pointed out you don't have that problem under (a) (2) on this.

The CHAIRMAN. That is the broader provision of the section.

The ATTORNEY GENERAL. Under (a) (1), as you point out, Congressman, you can have a variety of clearly lawful objectives.

Mr. ASHBROOK. Open.

The ATTORNEY GENERAL. Perfectly open objectives, as you can have an open objective by attempting to get the law or Constitution changed with respect to rights enjoyed by any groups or the repeal of any criminal laws that presently exist. These would all be perfectly lawful objectives which you could not prosecute somebody for having. As long as they were going to use proper political means to amend the Constitution of the United States or repeal the laws of the United States, or something else, there is no prohibition against advocating integrated schools or advocating segregated schools as an objective, attempting to accomplish that.

Now here you are saying but if somebody who happens to be a member of that organization, of a clandestine organization, advocates unlawful means for doing that, I don't know whether the further or accomplishing any purpose or objective really adds very much to the bill except some further proof.

If he advocates violence, force, intimidation, or unlawful means to the extent we can constitutionally reach that, we can reach it if he is not a member just as easily as a member.

Mr. WELTNER. The evil is the same at any rate; is it not, Mr. Attorney General?

The ATTORNEY GENERAL. I would think so. Of course in this situation, as I read section 407(1), this is any person here and the person is defined as an individual or organization. So in 407(1) you are not requiring him to be a member of any organization if he happens to advocate something that furthers the purpose of that kind of organization.

Mr. ASHBROOK. That is why you have some problems. Then don't look upon it as an insurmountable task even for this section becomes the law of the land? That is what I am getting at.

The ATTORNEY GENERAL. I would not go that far. I have difficulty with it. I always have some reservations about a law, Congress that I think is going to be difficult for the Department to effectively enforce because of difficulties of proof. In saying that, I am saying anything critical of the efforts of the committee. I would like to reach these activities also, but when you have that kind of a law then because of your difficulties of proof you can't make it effective.

There is quite often a certain amount of comment that you are not really enforcing the law and perhaps less public appreciation of the difficulties of proof that you encounter in these situations. I would hate to have the public think here is a law that is going to effectively eliminate Cosa Nostra and the Ku Klux Klan and any other group that you want to name of this kind and then find that we have some difficulty in the way of problems of proof that we are not doing it. They know that the Department would be subjected to criticism.

Now you have got the law, why aren't you enforcing it? I think some of these problems of membership and "relation to" and "furtherance of" and agency are going to present very difficult problems in secret organizations there if they divulge any information about any of these activities. I just put that as a caveat or reservation.

Mr. ASHBROOK. Thank you.

The CHAIRMAN. Would my views of trying to define what "in relation to" meant; "in furtherance of," "in connection with," and so on make it broad enough to help that out?

The ATTORNEY GENERAL. I think it might very well be helpful. Mr. Chairman. I think it is going to be tough in any circumstances and I want to make that clear.

The CHAIRMAN. I confess that Klans are not frank with their members; they do things without resort; they don't have formal resolutions on their crimes. If we would be required to produce evidence by agency, as we know that term, it would be an awful burden on the Department of Justice. I would be the first one to concede that. I am trying to say this as an aid to the interpretation of what we mean "in connection with," "in furtherance of," and so on.

The ATTORNEY GENERAL. On the one hand the broader you get the greater the constitutional problems and on the other hand the narrower you get the greater the problems of proof. This is the dilemma.

Mr. WELTNER. With the chairman's permission, I would like to turn to section 412 which, as you know, Mr. Attorney General, provides for the initiation by the Attorney General in a district court of an application seeking for relief against a criminal conspiracy, that term "criminal conspiracy" being defined as any group that uses or employs violence and intimidation for the purpose of depriving citizens of rights guaranteed by the Constitution or laws of the United States.

Under your administration of the Department of Justice you won, I think, a significant victory in the District Court for the Eastern District of Louisiana—

The CHAIRMAN. And I said that in my opinion it would go down as a landmark decision, and I so regard it.

Mr. WELTNER. I certainly regard it as that, Mr. Chairman, because Judge Wisdom and his colleagues on that three-judge court in hearing application for injunctive relief brought by the Attorney General were faced with the problems as a lawyer I know many times faces judges. They know what needs to be done and what ought to be done and what has got to be done, and they have to strain mightily to find some thread of statutory authority upon which to see that done.

I sympathized with the judge as he went through his mental gymnastics in an effort to find a statutory authority upon which to base the issuance of injunction against the Original Knights of the Ku Klux Klan. I think the significant part of that decision is on page 21 where it says, as follows. After a long review of the evidence and the difficulties that beset many citizens in that community, Judge Wisdom said:

However, in communities hostile to civil rights and resentful against "outside", that is federal interference, injunctive relief may be the most effective method of enforcing civil rights.

Then further, he states that, in sum, the previous civil rights legislation does not of necessity provide the most effective relief to either complain to the local police or soothe the damages:

The most effective relief for him and for all others affected by the intimidation may be an injunction by the Nation against the private persons responsible for interfering with his civil rights.

Now that being the case and that decision coming out of the southern court by southern judges and dealing with some of the problems that we have dealt with in the Klan here, it seemed to me a sound basis for drawing a clear statutory basis for the extension of equitable or injunctive relief.

As you know, the term "criminal conspiracy" is defined so that it includes any group of whatever motive or whatever political, sociological, or economic outlook wherever located or whatever race, color, creed, religion, or national origin that seeks to use force and violence to deprive citizens of rights.

I would like very much to have your comment on the proposed section 412 of the chairman's bill.

The ATTORNEY GENERAL. I think, Congressman, that as a general proposition we have always been opposed to injunctive relief where the commission of criminal offenses was involved. Now there have been

exceptions to that and, for the reasons that you pointed out, there are situations where there really have to be exceptions to that, as the court said, in order to get effective relief. That situation existed on a widespread scale in Bogalusa at the time that we went to court for the injunctive relief that you are indicating. We had a great deal of proof that a good deal of the problems in that community, the disruption of law and order in that community, the failure of local authorities to take appropriate action with respect to it was the result of Klan activity by a number of named Klan people as a Klan policy within that to make it very difficult for officials to maintain law and order in that community.

The CHAIRMAN. May I say that I heard it said that you were well prepared to go forward with the proof that, in the words of Judge Wisdom, the defendants in that case made some very damning admissions which lessened the need for proof that you would normally have had to go forward with.

In connection with what Mr. Weltner said vis-a-vis that decision I must agree with you that Title V of the Civil Rights Act that you were talking about a while ago, under that decision its problems are very well eased, as well as those under my bill.

The ATTORNEY GENERAL. Yes, sir. What I was trying to point out here was the kind of general authority which you provide in this for injunctive relief would seem to me to be wisely confined to that type of situation where other remedies—that is, the ordinary criminal prosecutions—simply are going to be ineffective to deal with a situation where widespread activities are occurring, where you can relate these to your criminal conspiracy very directly and by quite persuasive and quite massive evidence.

Apart from that, I would think we ought to attempt to stick with the proposition that crimes are usually punished after the fact, that your normal processes not involving the difficulties of all your problems or your summary punishment to some extent, and so forth.

With the understanding that the power that is given here should be used extremely circumspectly in those types of situations, I do not have any quarrel with the section. I think it is drafted—as it reads—it might give the impression that every time you had a criminal conspiracy you could just go in and enjoin its members. I do not think that is the way to deal with it. I think where that is making local law enforcement difficult, where the threats and intimidations are such that they can't be effectively handled by criminal prosecutions afterwards, then I think the existence of injunctive relief is important to it, and a good idea.

(At this point Mr. Ashbrook left the hearing room.)

Mr. POOL. Mr. Attorney General, let me ask you this: Is it broad enough to strengthen the Government's hand if it wanted to be used in a case of—say the Teamsters Union had a nationwide strike. Is that broad?

The ATTORNEY GENERAL. I would not have thought the Teamsters Union would have fitted into this language here.

Mr. POOL. Should it not be tightened down a little bit?

The ATTORNEY GENERAL. Well, I was suggesting either it should be tightened down or it should be clear from the legislative history—

Mr. POOL. Spelled out.

The ATTORNEY GENERAL. The reasons that Congressman Weltner suggested why this is important to have, it is a pretty broad power to give and it is one that I think should be used within our system pretty circumspectly, and I think I would agree with you on that.

Mr. WELTNER. I would certainly agree that was the case. If Mr. Pool will yield for just a moment, this section applies only to criminal conspiracy as previously defined in the legislation.

The ATTORNEY GENERAL. Yes.

Mr. WELTNER. That being the case, and the power resting in the Attorney General and at his option, the specific language being "the Attorney General may institute for the United States," and the legislative purpose, as displayed in both the witness' response and in this colloquy, being that this should be used only in those cases where suits for damages, local law enforcement efforts, and the initiation of criminal proceedings are ineffective to prevent criminal conspiracies. That is the background, I would suggest, to use the Federal power.

The ATTORNEY GENERAL. Yes.

Mr. POOL. Mr. Weltner, will you point out in the bill where it limits it? I have read it and I don't seem to find it here. How do you limit it to what your clandestine organization is and things like that?

Mr. WELTNER. Well, it is limited only to a criminal conspiracy which is defined at page 4 in section 408(a).

The CHAIRMAN. I think what you are saying is a labor union would not fit.

Mr. WELTNER. If a labor union were advocating teaching or employing acts of violence, intimidation, or harassment for the purpose or having the effect of coercing citizens, denying them rights guaranteed by the Constitution, that would be the standard. It would not be as a labor union but they might be subject to injunction. It would be as an organization that was engaged inherently in the act.

The same can apply to a 4-H Club. If a 4-H Club were engaged in acts of violence depriving citizens of their rights, that could be in the definition of criminal conspiracy.

Mr. POOL. If a labor union, in effect and in fact, had become a monopoly, more or less, and had a trust setup there, and there is no law which a labor union is under like the antitrust laws, could this be used?

Mr. WELTNER. Not unless it advocated force and violence to deprive citizens of their rights. That is the hallmark of my section and the definition of criminal conspiracy. It matters not under this provision whether or not an organization claims itself to be patriotic or subversive; whatever its view or whatever its preachments are, the question is whether or not it uses or employs force or violence to deprive citizens of their rights. That is the only basis upon which it could come within the scope of section 412 because 412 would apply only to a criminal conspiracy as so defined.

The ATTORNEY GENERAL. Perhaps, Congressman, since those sorts of activities by labor unions are already subject to the injunctive relief it would solve Mr. Pool's problem if labor unions just were not included in this.

Mr. POOL. That is what I was thinking, that is why I brought that up.

The ATTORNEY GENERAL. There are already provisions with respect to violence, and so forth, in connection with labor disputes.

Mr. POOL. I think if we had more worried about something like that, it might hurt you on the floor. That is why I brought it up.

Mr. WELTNER. Mr. Attorney General, one further question. Also under your administration there was a very interesting development in the city of Chicago with reference to one Sam Giancana wherein a grand jury extended to him immunity from prosecution. He was propounded several questions and having immunity, his claim of privilege under the fifth amendment was rejected and he was accordingly held in contempt of the grand jury and detained for purging himself. That was a series of moves and that specific procedure has not been quite clearly approved by the Supreme Court of the United States.

Am I correct in that?

The ATTORNEY GENERAL. Yes. At least it has not been disapproved by Congress. It has been approved, so far as the recent cases, as to the possibility of using the criminal contempt section was concerned.

The CHAIRMAN. This final thought: We appreciate very much and recognize the difficulties about the degree of proof that might be required under my bill. I think, though, that this problem is considerably alleviated by the fact that section 413 provides for immunity and also for a very strong contempt provision proceedings. I think that would help in alleviating the proof difficulty we would be talking about because immunity is provided where a witness can come forward and not be involved in fifth amendment problems, and so on, under the Immunity Section, 413.

With that I have no more questions.

Mr. WELTNER. I have just one further question, Mr. Chairman.

Mr. Attorney General, I take it there is no constitutional problem in the language contained in section 413.

The CHAIRMAN. I think this problem relates to clandestine organizations and not to the criminal conspiracy section. That is the way I understood him, anyway. Isn't that so, Mr. Attorney General?

The ATTORNEY GENERAL. Yes, I think so.

The CHAIRMAN. I think so. I don't think the same problems are presented.

Mr. WELTNER. It is not a question of proof but of the constitutionality and procedure of the extension of immunity under circumstances outlined in Title IV in section 413.

The ATTORNEY GENERAL. I read this, Congressman, and perhaps am mistaken, I don't think it reads very much different than existing immunity provisions. You refer to an extension of this. You would be referring here to the last sentence about—

Mr. WELTNER. We have made an effort in drawing this to make quite clear that the grant of immunity would be a thorough, full, complete and total grant of immunity and that of course would be very sparingly exercised upon the judgment of the Attorney General and of the court having jurisdiction over the matter.

If there is any indication of doubt with regard to the constitutionality of the procedure contemplated by section 413, I would like to have that. If there is no doubt, I would like that to be shown, too. I have no reason to doubt specifically in light of the recent pronouncements of the Supreme Court that this section is thoroughly in accord with constitutional procedures and due process.

The ATTORNEY GENERAL. I think you can extend immunity in this regard under existing law as it has been interpreted today unless there is a whole shift of attitude about immunity provisions. I think there is a problem. I don't think it comes up here because you are providing for no more than the 6-month sentence after trial by the court, with respect to immunity.

Now whether you can extend that as far as you have extended it, that is with the jury trial, I take it it is five thousand and ten years.

Mr. WELTNER. Prosecution for criminal contempt by the court and the jury.

The ATTORNEY GENERAL. Yes.

Mr. WELTNER. Yes.

The ATTORNEY GENERAL. Yes. Now as to that, it seems to me it is only fair to say you are breaking some new ground as to how far you can punish that kind of contempt.

Mr. WELTNER. What would you think would be appropriate sanction?

The CHAIRMAN. Five years, not ten?

The ATTORNEY GENERAL. Five years.

The CHAIRMAN. Because that makes a difference.

The ATTORNEY GENERAL. I just do not know, Congressman, because I just think this is something that the court has never passed on. What has always concerned me about it is how severely you can punish a failure to talk after immunity is given and I don't know how far the court would go on that.

For example, you take the existing law. I am persuaded that if you do, as happened in the Giancana case, if you hold a man until he purges himself, for the life of that grand jury, that the court is not going to permit you to ask him the same questions at the next grand jury and then hold him for another 20 months and by bringing him up every 20 months to keep him in jail for the rest of his life. I just can't imagine that that would be approved.

The criminal sanction of simply 6 months with respect to this has been the case. Now whether Congress in exercising the legislative power can punish that more severely, I don't know. What, quite frankly, concerns me is that there would be some reconsideration of the whole doctrine of immunity which is valuable for us and that, if the court felt the sanctions here were too strong, rather than throw out the sanctions it might modify the law of immunity in a way which I think would be unwise. I don't predict that it will, but it puts an issue that for the severe penalties here I would want to think about as to whether or not we really desire to make a test on that at this particular time.

Mr. WELTNER. I am sure the chairman will want to clear it.

The CHAIRMAN. Mr. Attorney General, we are so grateful to you for giving us all this morning of your valuable time.

There being no further questions, the committee will stand in recess until tomorrow morning at 10 o'clock.

(Whereupon, at 11:40 a.m., Wednesday, July 20, 1966, the subcommittee recessed, to reconvene at 10 a.m., Thursday, July 21, 1966.)

HEARINGS REGARDING H.R. 15678, H.R. 15689, H.R. 15744, H.R. 15754, AND H.R. 16099, BILLS TO CURB TERRORIST ORGANIZATIONS

THURSDAY, JULY 21, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m. in Room 429, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator, and Philip R. Manuel, investigator.

The CHAIRMAN. The committee will come to order.

We are pleased to have with us this morning three distinguished representatives of the Anti-Defamation League of B'nai B'rith.

We will be glad to hear from all three of them. It is my understanding that probably the most satisfactory way would be to introduce one, and he in turn would present the next. So the Chair recognizes as the first witness this morning Mr. Mayer Newfield of Alabama.

Mr. Newfield, we are delighted and pleased indeed to have you.

STATEMENT OF MAYER NEWFIELD, ON BEHALF OF THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH; ACCOMPANIED BY IRVING KALER, MEMBER OF THE SOUTHEASTERN REGIONAL BOARD OF THE ANTI-DEFAMATION LEAGUE, AND JUSTIN FINGER, DIRECTOR OF FACT FINDING OF THE ANTI-DEFAMATION LEAGUE

Mr. NEWFIELD. Thank you very much, Mr. Chairman.

We appreciate very much the opportunity of appearing before the committee.

I represent the Anti-Defamation League of B'nai B'rith. I am a member of the National Commission of the ADL, which is its top governing body. I am an attorney practicing law in Birmingham Alabama.

We appreciate very much the invitation to present our views and recommendations on ways of dealing with the threat to law and order and our American system of free government that is posed by the campaign of violent terrorism and intimidation being waged by such organizations as the Ku Klux Klan.

If I may be pardoned a personal reference, I should like to tell the committee that as a young boy in Birmingham I became disillusioned and terribly disappointed with the Klan. I had been reading such books as Thomas Dixon's *The Klansman*, and had seen the early moving picture "Birth Of A Nation."

One day I recall asking my grandfather, who lived with us, if he had ever been a member of the Klan. My grandfather fought during the Civil War with the Army of Northern Virginia under Jackson and Lee with a Mississippi regiment, and I was quite disillusioned and disappointed when he replied that he had not been a member of the Klan. I asked him if it was because the Klan was not present in Natchez, Mississippi, where he then lived. He said no, the Klan was present, but he had declined to join the Klan because he saw very readily that the patriotic motives and the high ideals which they espoused had been distorted and that individuals had come to power in the Klan who had committed outrages and who were operating in violation of the law and were using the Klan as a tool to carry out their own ideas for personal vengeance.

The CHAIRMAN. May I say that the record of our hearings bring up to date identical information about current Klan operation.

Mr. NEWFIELD. Yes, sir.

B'nai B'rith, which was founded in 1843, is the oldest civic and service organization of American Jews. It represents a membership of more than 400,000 men and women and their families. The Anti-Defamation League was organized in 1913 as an arm of its parent organization to advance good will and understanding among all Americans; to translate into greater effectiveness the ideals of American democracy, and to combat intergroup hatreds, prejudice, and bigotry as well as extremist threats to our free institutions.

Since ADL is dedicated to the preservation of the basic and democratic rights guaranteed to all citizens by the United States Constitution and to the public exposure of subversion and threats to our freedoms, our organization has long been concerned with the activities and operations of such groups as the Ku Klux Klans.

At the outset, Mr. Chairman, we want to commend you and the other members of this committee for your courage in attacking the problem of Klan terror in the series of hearings. After all, when terror reigns no one, not even a Congressman, is immune. We want also to associate ourselves with the remarks made yesterday by the Attorney General and the distinguished chairman of the House Judiciary Committee, who praised the careful and thorough investigation of the Klan which your committee conducted over a period of more than months.

These hearings have helped to spread on the uncontroverted public record the shocking story of the Klan's organized terrorist activities. In so doing, the committee has performed a most useful function and made clear the need for remedial legislation to curb Klan terrorism and intimidation.

At this point, I should like to introduce my colleague, Mr. Irving Kaler, a distinguished member of the Atlanta Bar and a member of the Southeastern Regional Board of Anti-Defamation League. Mr. Kaler will present some of the factual background of Klan activities in Georgia, Alabama, Mississippi, and elsewhere.

Mr. Kaler.

Mr. WELTNER. Mr. Chairman, it is a pleasure for me to welcome all these gentlemen, and particularly my constituent and friend, Mr. Irving Kaler, here today. I think, Mr. Chairman, with your permission it would be well to have this committee acknowledge the debt of gratitude it owes to the Anti-Defamation League and to its very effective and dedicated and hard-working staff.

David Brody, has been of great assistance to this committee; Ted Freedman also has been of tremendous assistance to us. They are here today. I am grateful for the personal assistance and friendship they have given to me on this matter. Mr. Kaler comes here well qualified to speak not only as a lawyer and as a distinguished citizen of our community, but as one who has long maintained an active and vigorous interest in community affairs and in the betterment of our area.

The CHAIRMAN. As chairman of the committee, it is a pleasure for me to acknowledge the great contribution made by your fine organization and its spokesmen here this morning.

Mr. KALER. Mr. Chairman and Members of the Committee: I appreciate the opportunity to appear today in behalf of the Anti-Defamation League of B'nai B'rith. I am particularly gratified to be here because you know a distinguished member of this committee is Congressman Charles L. Weltner, who is the Congressman from our Fifth District, and we very proudly acclaim him.

Our State, Mr. Chairman, and honorable members of this committee, has a proud record of contribution to our Nation's strength. Nevertheless, it is an uncontested fact that where terrorism, violence, and bigotry have besmirched our State, the Ku Klux Klan more often than not has been responsible.

Here in the privileged confines of this room, it may be difficult to imagine the extent to which the Klan can undermine a community, a State, a Nation. To illustrate, let us suppose that you are a lieutenant colonel in the Army Reserve. You have been at Fort Benning, Georgia, for summer training—training essential to your military career, training necessary for service in Vietnam or wherever you might be sent.

Your training completed, you are in a hurry to get home to your family. So you drive through the night with two fellow officers toward Washington, D.C., where you live.

Suddenly, just outside of Athens, Georgia, home of the University of Georgia, you are overtaken by a car of nightriders. A shotgun fires. Your journey ends on a lonely highway in Georgia.

Why did this happen to Lt. Col. Lemuel Penn of Washington, D.C.? Simply because of the color of his skin, he innocently became the focal point of Klan hatred.

As a result of this brutal murder, four Klansmen were indicted. Two were tried in a State superior court and acquitted.

But later six Klansmen were indicted by a Federal grand jury and two men—the same two acquitted in the State superior court—were found guilty. This time the charge was conspiracy in violation of Federal statute. And this time the trial was in Federal court.

The facts were essentially the same. In the State court, the Klansmen were acquitted; in the Federal court, two were convicted.

We may well ask ourselves how the different results occurred. I believe much of the answer lies in the annihilation of free will that occurs when the Klan is operating in a community.

We saw the same thing in Hayneville, Alabama, where four Klansmen were charged with murdering Mrs. Viola Liuzzo. Again there was no conviction in the State court. It would not do so despite the fact that one of the four was an FBI informer and provided detailed testimony about the murder. Klansmen roamed the courtroom. During a break in the trial, one came forward to inspect the evidence that had been presented.

In both the Georgia and Alabama cases, the Klan oath became a means of subverting the judicial process. In both cases, key witnesses were accused of violating their Klan oaths by testifying in courts of law. In the Alabama case, the FBI informer was charged by the defense with dishonoring his Klan oath. In the Georgia cases, a witness who had been a Klansman was able to point out that his Klan oath had expired and, therefore, he was relieved of this burden and could testify.

The CHAIRMAN. May I say at this point, sir, that it was quite an experience to preside over these hearings and to see how Klansmen welched on their own oath. Instead of relying on it, they took refuge under the fifth amendment, which we have always recognized, but the use of which they have attacked when it has been invoked by other elements in our society. It was quite an experience to see them do that.

In other words, I put the question directly to them, "I understand that you are not relying on your Klan oath of secrecy as a reason not to testify; rather, you are taking refuge in the fifth amendment. Is that correct?" They all agreed.

Now it seems to me, if they had the dedication which they profess for klanism and the pride of membership that they say they have, one of them would have had the guts to say, "I'm here, not invoking the fifth amendment, I stand on my oath as a Klansman." Not one of them had the guts to do it.

Mr. NEWFIELD. Right. It is ironic.

The CHAIRMAN. I say that legally they were right in not relying on the Klan oath; it would not hold water in my opinion. The point is that with all their protestations of Americanism and anticommunism and all their other claptrap, I think it is appropriate for me to say that I was rather startled to see that not one of them had the guts to say, "I'm a Klansman, I am proud of it; I am not invoking the fifth amendment, I am standing by my oath as a Klansman because I am proud to be a Klansman." Not one of them had the guts to do that.

Mr. KALER. Mr. Chairman, from the time he served as an Assistant Attorney General more than 21 years ago, Judge Duke of the criminal court of Atlanta has been one of the most vigorous opponents of the Klan in the Nation. Last October he wrote a letter in which he outlined information which had come to him of a recent Klan conspirac

This included secret plans to assist Klansmen arrested and prosecuted and steps to prevent witnesses and jurors from carrying out their duties in courts of law.

This is a portion of the official letter that he wrote:

The most insidious evil growing out of the Ku Klux Klan conspiracy is the one which teaches its fellow members and travelers to pervert and subvert public justice and to disrupt the oath of truth and the oath as a juror in any instance where the interest of the Ku Klux Klan or a fellow member may be at issue.

In October of 1965, Judge Duke called upon Governor Sanders to revoke the charters of Klan units operating in Georgia. Further quoting Judge Duke:

Proof is available in abundance that the Ku Klux Klan carries on its affairs for the purpose of disseminating racial and religious prejudice, intolerance and hatred, that it spreads false propaganda for the purpose of inciting its members and fellow travelers to acts of violence which disrupt and destroy the public peace and tranquility of the state.

It is a well-documented fact, Mr. Chairman, that the Klan has succeeded in infiltrating law enforcement agencies and courts. A famous KKK photograph of the 1960's shows a Klansman opening his robe wide to display the police uniform underneath. In some southern communities, the police station or sheriff's office has been known to be the local Klan headquarters. More than one judge, prosecutor, or juror—as Judge Duke has noted in his letter—has been known to be friendly to the Klan. And where the influence of the Klan is heavy—usually out of proportion to its actual size—witnesses and juries and elected court officials are apt to be cautious about offending an organization whose members may be packing the courtroom.

Said a bold young Methodist minister in Philadelphia, Mississippi, where Klansmen have been implicated in the murder of three civil rights workers:

For all practical purposes, the Klan has taken over the guidance of thought patterns in our town. It has controlled what was said and what was not said.

The coercion applied by the Klan often cuts deeper than is suspected. It can even put an end to constitutionally guaranteed free speech.

Thus, the citizens of Bogalusa, Louisiana, were warned in leaflets that anyone who attended an address by former Congressman Brooks Hays, "will be tagged as integrationists and will be dealt with accordingly by the Knights of the Ku Klux Klan."

The owner of a radio station participated in inviting Congressman Hays to Bogalusa. He was threatened and harassed (as were others in Bogalusa), his car windows were smashed, nails were driven into his tires, his station transmitter was fired upon by a shotgun, and his advertisers withdrew. Eventually he was compelled to leave Bogalusa. Under Klan pressure, the invitation to Congressman Hays was withdrawn and the address was canceled.

Similarly, the Klan seeks to interfere with one of the most basic rights of all in a democracy, the right to vote.

Where Negroes attempt to register and vote, such incidents as cross-burnings, bombings, church-burnings, beatings, and nightrider violence often occur. Such incidents continue to occur even after passage of the Voting Rights Act of 1965.

For example, a local union official who was active in the Northampton County voters movement in North Carolina was the target

of a cross-burning and a beating by white men. At Bertie County, North Carolina, a cross was burned in a field beside the home of a Negro woman who had been active in a registration drive.

And in west Tennessee, just after a cross had been burned near the city limits of Brownsville, an explosion wrecked one side of the home of a member of the Haywood County Voters League.

And finally, Klansmen have been charged with the firebomb death of early this year of Vernon Dahmer, the leader of a registration drive at Hattiesburg, Mississippi.

Here is a shocking fact: from the period of 1959 to date, there have been at least 850 recorded instances of violence and intimidation, including 26 bombings of churches and 103 bombings of homes.

I caution that we should not assume that all the Klan activities and Klan poison is confined to the South. As the Klan itself boasts, its memberships spread across the Nation—into Ohio and Indiana into New Jersey and New York. Often the Klan operates behind such fronts as "gun clubs" and "sporting" organizations. These organizations provide the bedsheet behind which Klan units conceal arsenals of hate—guns, bombs, and dynamite.

The Ku Klux Klan is at war with the United States. It is the avowed enemy of U.S. laws and traditions. It is an underground organization with the frank goals of subverting individual rights, terrorizing groups of people and whole communities, and promoting strife. Around the world, the hood and robe are symbols of bigotry in its ugliest form.

Nathan Bedford Forrest directed the Klan to disband in 1869. The Confederate general, who was its organizing spirit, realized that it could not be kept under control and that it would grow more irresponsible, more reprehensible, and more dangerous. Almost 100 years have passed, and the Klan is still with us. More evil than ever, more dangerous as a vehicle of bigotry and hatred, it has spread its terror over not only a good portion of the South, but many of the States in the East and the Middle West and has made evil alliances on the Pacific Coast with equally dangerous predatory groups.

At a time when our Nation might otherwise take justifiable pride in its bold advances, the Klan, and those spirits kindred to it, remain not only an ugly anachronism, but a malignant growth upon our social organism. It stands for the terror by night that no free man can ever will endure. Our national conscience mandates that it be extirpated.

Mr. Chairman, I would like to just close with one note. As our Congressman will verify and as evidence of the gathering comprehension of the people generally about this menace, I discussed this statement with many of our elected officials of the State and many citizens in the Congressman's district, and the sentiments which I have expressed are endorsed totally and completely and unanimously by all to whom I spoke. Therefore, we are authorized to conclude that the doing away of this menace is something which is desired and an ambition which is shared by citizens generally throughout the State.

The CHAIRMAN. Thank you very much.

In short, you made three points that I noted mentally. You mentioned the oath taken by the Klan to conceal a known violation. This is dealt with under section 409 of our bill.

Then you talked about portions of the law enforcement officers being members of this hooded organization. Here is what I said in the talk I made in my own town on that subject:

The Committee investigation shows that the vast majority of law enforcement officers in Klan areas are sincere, dedicated men. Unfortunately, however, it also reveals that some law enforcement officers, though this is true of only a very small minority, are Klan members. We have placed in the hearing record the Klan oath. The wording of this oath is such that, if a law enforcement officer should join the Klan and become a dedicated member of it, placing this oath above all others, he would put himself in the position of not being able to fully discharge his duties as a sheriff or policeman, as the case may be.

In other words, it is simply impossible to be a good policeman and a good Klansman. One is good, the other is evil, and you can't mix them.

Now finally you talked about practices of harassment, and so on, vis-a-vis my good friend Brooks Hays and the incident that happened in Congressman Morrison's district. Some time ago I made a speech on the floor of the House—I forget the date, it is in the *Congressional Record*—and I was forced, because some friends said I should do it, to disclose to my fellow Members some of the threats of violence and acts of intimidation practiced on me and even my good wife.

I remember on one occasion I mentioned being engaged in making a speech at a certain Catholic institution in my district where I was warned by certain people, Government agencies, that I would be visited and I would have trouble-makers. They came, four cars with 20 hooded members from other areas of my State. The things, I said on the floor, that they had to say about me and the Catholic institution I was talking before were so downright filthy and vile and dirty that I don't think that my mouth could come out with their expressions, but I have recordings of it, I have the evidence, I know who they are.

I agree with you that this sort of thing must simply be stopped; it is intolerable in America.

I might add to my statement on the floor that at all hours of the day while I was at home and at night when I was home they would telephone Mrs. Willis and do such silly things as breathe loudly in the phone to frighten her and tell her the most vile things about races and all that stuff, trying to plant suspicion in her mind about me, for instance, about my association with certain groups, and made her so nervous it could have been partly responsible for a serious threat on her life later on, one for which she had to be operated on. So I know what you are talking about. I have lived through it myself and I completely agree with what you have said.

MR. NEWFIELD. Mr. Chairman, if I may, I should like to resume my own presentation.

THE CHAIRMAN. All right, sir.

MR. NEWFIELD. We appreciate very much the presentation made by Mr. Kaler.

The ADL has long recognized that Klan terrorism and violence, Klan patterns of vigilantism and intimidation, and Klan preachments of racial and religious bigotry pose a danger to our free American way of life. We of the ADL profoundly believe that the invasion of the civil rights of any individual, regardless of race or color, or any group, because of race, religion, nationality, or ethnic origin, threatens the

rights of all Americans and tends to undermine the foundations of our Republic.

It is a plain fact of life in the America of the 1960's that the Klans in some States of the Union are waging race warfare and promoting religious bigotry and that Klansmen and their henchmen are undoubtedly responsible for a large portion of the violence, the killings, the bombings, and the arsons that have taken place in Southern States recent years. Their tools in this campaign of terror, as your committee well knows, are the shotgun, the rifle, the pistol, the bull-whip, the gasoline-soaked rag, and the cluster of dynamite sticks.

Some of the statistics of this campaign of race warfare being waged by the Klans and their allies are appalling stains on the fabric of our democracy. An ADL study of the Klan and violence in the South published in May 1965, disclosed the following:

Approximately 1,000 reported instances of racial violence, intimidation, and reprisal since 1955;

More than 40 individuals concerned with civil rights movement killed since 1959;

Some 227 bombings between 1954 and 1965;

At least 29 bombings in Birmingham, Alabama, between 1957 and 1965, and, I might add, not one conviction;

Eighteen bomb blasts at Negro churches and homes in Mississippi, during 1964 alone;

Dozens of persons, Negro and white, beaten and flogged;

Negro homes and churches burned with such frequency no accurate count was even possible;

Thousands and thousands of crosses burned in recent years, as the Klan terror campaign mounted into race warfare against the United States of America itself.

We believe that new Federal legislation is urgently needed because in some parts of our country, as hearings before your committee have disclosed, existing State criminal laws cannot be enforced properly and effectively, and fully to insure justice and the proper punishment of Klansmen. Every State in the Union already has adequate laws dealing with most Klan violence. Mississippi has laws against murder, but the killers of Andrew Goodman, James Chaney, and Michael Schwerner in the now notorious "Triple Murder" received no punishment at the hands of the State. Georgia has laws against murder, but the shotgun slayers of Lemuel Penn received no punishment at the hands of the State. Alabama has laws against murder, but the killers of Mrs. Viola Liuzzo received no punishment at the hands of the State of Alabama.

Existing State laws against murder and violence are, in effect, nullified when the State law enforcement machinery fails to function. Such nullification can take place when law enforcement officials collaborate with the Klans, as was the case in the "Triple Murder." It can take place when members of grand and petit juries—and possibly even the courts—fail to carry out their oaths of office and allow the administration of justice to become a travesty in cases where Klansmen and like-minded terrorists are the defendants.

The result of these nullifications of existing law and the breakdown of the law enforcement machinery is that, in the very States where effective law enforcement against murder, assault, arson, and violence

intimidation is most urgently needed to secure the life and property of those who work for, and seek the implementation of, the civil rights guaranteed to all persons by the Federal Constitution, "often nothing more than a fuzzy, fragile bit of Reconstruction legislation stands between segregationist killers and total freedom." (See *TIME* magazine, April 8, 1966, p. 28.)

Today's need for strengthened Federal criminal laws stems from the failures of local law enforcement agencies and widespread denial of federally protected rights. There is no doubt that racial crimes by Klansmen and like-minded terrorists, such as those mentioned, aim at denying federally guaranteed rights to members of the Negro minority and to white citizens as well.

At present, the main Federal laws against such crimes are contained in sections 241 and 242 of Title 18 of the United States Code—the Federal Criminal Code. Section 241 bars criminal conspiracies by any persons to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because he has exercised such rights and privileges. The role of the post-Civil War Klan in the genesis of this section is clear. One part of the section, for instance, provides that if two or more persons go in disguise on the highway, or on the premises of another, with intent to hinder or prevent his free exercise or enjoyment of any right or privilege secured by the Constitution or laws of the United States, they are in violation of the law.

Section 242 is directed against anyone who, under color of law, statute, ordinance, regulation, or custom willfully subjects any inhabitant of any State to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.

Both of these statutes adopted after the Civil War, sought—as the U.S. Supreme Court has recently noted—to cope with a wave of murders and assaults launched in 1868 by the Ku Klux Klan and the Knights of the White Camellia in an effort to keep Negroes from the polls. The Congress adopted these laws because the States themselves were helpless, despite the resort by certain States to extreme measures, some of which even made it legal to hunt down and shoot any disguised man.

One of two recent Supreme Court decisions—*United States v. Guest*—is important because in it six Justices of the Court expressed the view that Congress may enact legislation to deal with purely private violations of 14th amendment rights. It found this authority in section 5 of the 14th amendment which provides that Congress may adopt such laws as it believes proper to implement the purposes of the amendment itself.

In *United States v. Price*, as well as in the *Guest* case, there is reference to a most important limitation which the Supreme Court earlier had read into section 242. That limitation is the requirement that in prosecutions under section 242, the Government must prove a "specific intent" on the part of a defendant to deprive his victim of a right guaranteed under the 14th amendment. As a result, under this section it is not sufficient to support a conviction if a police officer is shown to have beaten a victim to death; it must be proved that when he did so,

he intended to deny the victim a federally guaranteed right, such the right to a fair trial.

A paragraph of the indictment in *United States v. Guest*, portion of which the Court upheld, sums up the evils perpetrated by Klans which have led this committee to examine the need for additional legislation to deal with the whole problem. Paragraph 5 of the indictment, quoted in a footnote to the Court's decision in the *Guest* case reads as follows:

It was part of the plan and purpose of the conspiracy that its objects achieved by various means, including the following:

1. By shooting Negroes;
2. By beating Negroes;
3. By killing Negroes;
4. By damaging and destroying property of Negroes;
5. By pursuing Negroes in automobiles and threatening them with guns;
6. By making telephone calls to Negroes to threaten their lives, property, persons, and by making such threats in person;
7. By going in disguise on the highway and premises of other persons;
8. By causing the arrest of Negroes by means of false reports that such Negroes had committed criminal acts; and
9. By burning crosses at night in public view.

The first seven items reflect an arrogant disregard of existing State laws against murder, assault, intimidation, and coercion. While both the *Price* and the *Guest* cases, the Supreme Court of the United States has helped preserve some of the limited effectiveness of sections 241 and 242, the general history of efforts to use these sections of the Criminal Code to stop excesses against both Negro and white Americans is not encouraging.

Moreover, the very need to invoke sections 241 and 242, with the lesser penalties, to bring some measure of retribution on those charged with murder, as in the cases of *Goodman*, *Chaney*, and *Schwerner*, *Lemuel Penn*, and *Mrs. Viola Liuzzo*, remains a blot on our country record and a sad commentary on law enforcement in the States concerned.

The need to strengthen and expand Federal protection of the basic rights of life, liberty, and property of all citizens has become an urgent necessity as this committee's hearings have amply demonstrated.

What is at stake in the States where the Klans and like-minded terrorists are active, is law and order itself. If the race warfare being waged by the Klans is not checked, this campaign of violence and intimidation could—and may already—pose a direct threat to the republican form of government in a number of States.

As the Attorney General testified yesterday, legislation designed to deal with planned lawlessness and violence has already been introduced in Congress by the administration, H.R. 14765. The Attorney General stated that, in drafting Title V of the bill, the Justice Department was conscious of the work and findings of the committee on the Klan. Other features of the bill would also help to curb lawlessness and terrorism by assuring that juries will be selected fairly and without discrimination.

We believe these provisions will help safeguard the true administration of justice in States where it has been negated by what has been called by *TIME* magazine the "intransigence of many Southern juries."

We would also commend to your consideration possible Federal anti-mask legislation; Federal anti-cross-burning legislation; and legislation to outlaw, as a Federal offense, the use of motorcades which contain private persons wearing uniforms or displaying insignias intended to intimidate, or having the effect of intimidating, citizens or preventing them from enjoying or exercising rights secured to them by the Constitution and laws of the United States.

A number of States already have anti-mask and anti-cross-burning laws. It may well be that the source for some of these laws was an educational pamphlet, containing model legislation, published by the Anti-Defamation League in the late 1940's. Anti-mask legislation bars the wearing of masks in public, and the anti-cross-burning statutes outlaw terroristic cross-burning. We favor Federal anti-mask, anti-cross-burning, and anti-motorcade laws which would prevent mask-wearing and cross-burning hoodlums from interfering with the peaceful use of the channels of interstate commerce by citizens in the enjoyment of their civil rights.

As the chairman of this committee and Congressman Weltner know, still another approach to the problem is embodied in H.R. 15678 and H.R. 15689. These bills which are identical would amend the Internal Security Act of 1950 for purposes of curbing the activity of terrorist organizations such as the Klans. They point to the dangers to the life, liberty, and property of citizens and to the constitutional processes arising from the activities of certain clandestine organizations. There is no need to summarize these bills for this committee.

We want to commend the sponsors of this legislation for their concern with the problem and the commitment their proposals show to coping with the problem. Certainly the evils created by the Klans and their activities are serious evils which demand specific remedies. We recommend that these proposals be given careful study.

We have some question that the reach of the bill in its definition of "clandestine organization" may be too broad and bring within its coverage organizations not so intended. I understand that yesterday in a colloquy between the chairman of the committee and the Attorney General it was made plain that it is only those organizations operating clandestinely and engaged in terrorist activities with the purpose of intimidating and threatening U.S. citizens which the authors of the bill intend to reach.

The chairman made it clear that he intended this bill not to apply to groups such as college fraternities and others which may operate secretly but do not engage in terrorist activities. This legislative history will help to insure the administration of the bill in a way which would be directed only to the evil it was designed to meet, namely, Klan terrorism. It will be helpful, however, if the committee in its further consideration of the legislation can narrow the definition to reflect more precisely its purpose. There are also provisions which may well involve problems of constitutionality.

We have made the foregoing comments on these proposals not in any spirit of criticism, but in order to demonstrate that in our view these proposals call for more careful study in order to iron out the kind of problems we have described. We commend the intent and clear goal of these proposals. We call for further examination and study of these proposals to see if they can be so amended as to achieve the desired goal of eliminating the Klan as a force for unlawful violence and ter-

rorism without undermining constitutional guarantees and adversely affecting innocent organizations.

We approve the recent allocation of Federal funds to finance police training courses. These courses should help to raise the professional levels and professional standards of local police forces throughout the country. They must also seek to make each local police officer aware of the fact that he is the first line of defense in upholding our laws, with a sworn duty to apprehend law violators, and should also impress upon him his equally important duty of insuring the fullest possible protection of constitutional rights of all citizens.

These training courses must impress upon police officers their bounden duty to give "equal treatment under the law," regardless of race, creed, national or ethnic origin. Policemen must, in our view, be supremely aware at all times of their duty to protect the fundamental human rights and freedoms, which are the cornerstone of the American form of government, and the human dignity and mutual respect among all men, which is the touchstone of American democratic principles.

In closing, we would respectfully suggest that in any report your committee may issue on its investigation of the Klan problem, it might well recommend to the legislatures of the several States that any laws which have not yet adopted anti-mask and anti-cross-burn laws consider the wisdom of doing so at this time.

The report might also suggest that State legislatures consider a motorcade legislation of the type we have suggested for possible Federal action. The committee's report might also underscore the importance of adopting State criminal laws against secret, racist, and terrorist organizations like the Ku Klux Klan, while at the same time according to the Klan groups the benefits of charters issued under State corporation laws. In plain point of fact, the State legislatures might be reminded that what is required is not State aid through the benefits of charters and incorporation, but State action to make sure that Klan hoodlum organizations, which threaten the foundations of law and order and domestic tranquility, are barred from enjoying any form of State sanction, whether they seek to incorporate openly as the Klan or to mask themselves as rifle clubs, sporting clubs, welfare associations, or even political organizations.

This committee is, of course, well aware of the seriousness of the threat posed by the hooded hoodlums of the Klans' Invisible Empire. We again thank the committee for the opportunity given us by invitation to express our views on ways of dealing with this danger to the Republic.

Mr. Chairman, if I may at this point I should like to introduce Justin J. Finger, who is director of fact finding of the Anti-Defamation League. Mr. Finger has some additional data which he would like to present to the committee. Mr. Finger.

Mr. WELTNER. Mr. Chairman, once again, if I might.

Mr. Finger is a former resident of the former Fifth District of Georgia, which was reapportioned some 2 or 3 years ago. I am glad to see him again, he looks extremely healthy, and I want to welcome him personally to the committee.

Mr. FINGER. Thank you, Congressman.

There is little I can add to the testimony of my two colleagues here this morning. However, I would like to say that according to

findings Klan violence and intimidation in the South have continued up to the present date. For example, from January 1, 1966, through June 30, we recorded at least 53 incidents in Southern States of violence and intimidation. I think it would be of interest to the committee that after the committee began its probe of the Ku Klux Klan we noted a sharp decrease and decline in Klan activity and also a decrease in Klan membership throughout the Southern States.

In fact, we know that Klan leaders such as Imperial Wizard Shelton of the United Klans ordered their men to stay under cover and not participate in public activities.

However, since February of this year, the Klan fever chart, so to speak, has started to go up again and although it has not reached the previous mark, it is moving upwards. For example, specifically on June 19 of this year in Hickory, North Carolina, 2,000 people attended a Klan rally in the area of Highway 51. Now what is of interest is that this was the first Klan rally held in Catawba County, North Carolina, in 100 years. From our information, all the applications and literature that were available were distributed and those in attendance at the meeting clamored for applications that were not at hand.

Mr. WELTNER. Mr. Chairman, if I might interrupt, was that after the breakdown of the Klan investigation by a former Attorney General Malcolm Sewell in North Carolina?

Mr. FINGER. Yes, it was June 19.

Mr. WELTNER. That is subsequent to the time that it became clear from the announcement of the Governor that there was going to be no investigation; is that correct?

Mr. FINGER. Correct.

Mr. WELTNER. Mr. Finger, do you consider it apparent that abandonment of that probe by the State administration was in any way responsible for the rally in Catawba County and the size of the attendance and the enthusiasm there shown?

Mr. FINGER. I would say it was a contributing factor, anyway. I don't know if it is the sole cause.

Mr. WELTNER. The heat was on in North Carolina, the Klan laid low.

Mr. FINGER. Correct.

Mr. WELTNER. But as soon as the heat was off it popped up again.

Mr. FINGER. Correct.

Mr. WELTNER. In increased numbers?

Mr. FINGER. Yes.

Mr. WELTNER. All right.

Mr. FINGER. I think there is one other factor: We have found where the Ku Klux Klan has efficient organizers, it is quite strong. The prime example has been the State of North Carolina because, gentlemen, you know until about 4 or 5 years ago there really was not a Ku Klux Klan in North Carolina, and today we find the State with the largest Klan organization.

Another example is the State of Virginia. They have sent in some experienced organizers, and that is the one State over the past number of months where we have actually found an increase in Klan strength.

Mr. WELTNER. To point out the point on that subject the Klan had no organizer until Kornegay was detailed Grand Dragon of the realm and was sent in there some time prior to the investigation by this committee.

Mr. FINGER. Right.

Mr. WELTNER. Consequently, any Virginia activity, I suppose, stems from Mr. Kornegay's movement into that State.

Mr. FINGER. That is correct, Congressman.

I would like to conclude by giving you some of the figures we have on current Klan membership, with the understanding that this is a clandestine organization and it is not always possible to get total accurate figures.

Using October of 1965, we estimated that there were approximately 50,000 Klansmen. Of course, that included hardcore Klansmen and those who were on the rolls and possibly inactive.

In February of 1966, the Klan had reached for recent years a low water mark of 20,000, but now we find that the figure has come up approximately 29,500. It would interest this committee to know that one of the major campaigns for the Klan this coming summer is to drive for defense funds for those Klan leaders whom this committee has cited for contempt; in other words, they are going to use that as an excuse to collect more money.

I might add that in the Hickory rally a substantial sum of money was collected by the Klan.

Mr. KALER. Mr. Chairman, might I make a statement in respect to the question that was propounded by our Congressman, Mr. Weltner?

Congressman, as you know, in Georgia in 1946 we terminated the charter of the Klan, and the material given to us by Judge DuBois shows that there was a fragmentation of the activities of the Klan following the cancellation of their charter. The point that he makes and I would like to say that it seems a realistic one, is that wherever there is governmental inspection of this problem, the problem itself abates. Tragically, wherever those efforts are aborted or are not successful, it might be said that that is incorrectly interpreted by the Klan as giving encouragement to their efforts and their activities.

Mr. WELTNER. The figures that Mr. Finger cites are very interesting.

Now to recap what you say, in October, which was the date upon which this committee began its public hearings, you estimate that the membership of the Ku Klux Klan organizations was 50,000.

Mr. FINGER. Correct, Congressman.

Mr. WELTNER. And in February, which was the month in which the hearings suspended, that had declined to 20,000. That is a 60 percent diminution in Klan membership.

From February, the last of the open hearings of this committee, to the present time, the Klan has increased from its low point by almost 50 percent, still substantially lower than it was prior to the beginning of these hearings.

Mr. FINGER. That is correct, Congressman.

Mr. POOL. May I ask a question, Mr. Chairman?

The CHAIRMAN. Mr. Pool.

Mr. POOL. These riots in the cities of the North—Chicago, Cleveland, and Los Angeles—do they have any effect on the total membership of the Ku Klux Klan?

Mr. FINGER. I would say that any kind of crisis activity has no effect. For example, I can't tell you exact figures, but I recall that during a racial crisis about 4 years ago in Albany, Georgia. Now that at

had no Klan activity at all, yet a Klan rally held during the crisis drew some five or six thousand people. Now I noted in the paper the other day that Roy Frankhouser, I think he might have appeared before this committee, the Grand Dragon of the State of Pennsylvania, a former member of the American Nazi Party, said that because of racial crisis that everybody should arm themselves and get their guns and ammunition.

Mr. POOL. So, in effect, these riots in these cities are hurting the cause of civil rights and also increasing the Klan membership?

Mr. FINGER. I don't know whether they are hurting the cause of civil rights, but I would say that the Klan and organizations like it would attempt to exploit these situations.

Mr. NEWFIELD. Mr. Chairman, that completes our testimony.

The CHAIRMAN. Thank you very much. We not only appreciate the material you supplied and the testimony you gave, you and your associates, but we certainly will consider the recommendations you made.

Now I would like to say this: I would like to get your views on a clause establishing an additional criterion for possible inclusion in the definition of clandestine organizations. This clause would narrow the scope of the definition as contained in our bill in possibly a desirable way.

I hand it to you and I will read it and I will ask you to comment on it.

After the provisions in the bill describing the clandestine organization, separated by the word "or" in each instance there would follow this additional clause in section 403, at the end of paragraph 4, and I quote. This would be the new language:

"And whose history, purpose, policies, or activities embrace the use of violence, threats, intimidation, or harassment in accomplishing any of its objectives."

We considered such a criterion very carefully and finally rejected it because it appeared to introduce problems of proof which we thought would handicap possible prosecutions. It would mean not only a new element to be proved, but it would also flag a prospective witness from among the membership of the organization that he might incriminate himself by coming forward as a volunteer or by testifying under the subpoena process.

Personally, I think this additional clause preceded by the word "and" would certainly make it clear beyond any shadow of a doubt that organizations—bona fide fraternal, religious, or other such groups—could not possibly be embraced within the definition.

I personally am inclined to believe that this kind of language would be helpful and I take it that the Attorney General seemed to have that in mind when he testified yesterday.

How do you feel about it?

Mr. NEWFIELD. Mr. Chairman, our reaction offhand would be that if the bill were amended to include this new section (e), it would go a long ways toward meeting that objection and would probably be most helpful in that regard.

The CHAIRMAN. Thank you very much.

Mr. BUCHANAN. Mr. Chairman, Mr. Newfield is one of my constituents. It is my privilege to represent the city of Birmingham, and I



want to express my appreciation for his testimony and for the contribution you gentlemen have made to these hearings.

Mr. Chairman, I do feel constrained to say, because the defectiveness of certain law enforcement officers had been mentioned and unsolved Birmingham bombings also specifically mentioned, that we are very fortunate in our city of Birmingham and county of Jefferson, Alabama to have some very dedicated and capable law enforcement officials.

Sheriff Bailey, for example, is a man of high courage and of great competence and is a law man who, by no stretch of the imagination could be described as a friend of the Ku Klux Klan. We also have very fine professional police chief, Jamie Moore. The last bombing in 1964 were bombs planted, among other places, at the homes of certain officials, the mayor and other officials. Therefore we cannot assume an inefficient local government. They are very hard crimes to solve and I am sure you understand.

I thought I ought to point out, Mr. Chairman, that the crime rate in the city of Birmingham is declining at a time when it is increasing in most cities. We are blessed in our own district, Mr. Newfield, with very fine law enforcement officers, and I think they certainly deserve our commendation and gratitude in spite of the difficulty of solving certain types of crime.

I would like to say further along this same line, gentlemen, that throughout these hearings I have sought to impress on the committee and the public the fact that the overwhelming majority of southern law enforcement officers are not represented by the Ku Klux Klan.

Now you have mentioned the difference between State and Federal court results. May I point out that the Federal court in Alabama which convicted men in the Liuzzo case was an Alabama court presided over by a judge who was a citizen of Alabama and the jury was composed also of citizens of Alabama. I certainly would join with you and appreciate your pointing up the fact, with which I agreed, of the need for State legislation which we had in the 1940s an anti-mask law passed in Alabama, which may have been imperfectly enforced and circumvented in certain ways, but we do need State action in this area, and I appreciate your pointing up that fact.

We need more aggressive enforcement at the local level and State level in many places. I appreciate your including this in your testimony.

Mr. Chairman, I just want to reiterate once more that the overwhelming majority of the southern people are not in the least represented by this criminal minority which has been responsible for the acts of violence and terrorism in the deep South.

Mr. NEWFIELD. Mr. Chairman, may I say that I would endorse wholly the statements made by Congressman Buchanan. I know nothing of these police officers and I have a very high regard for them as law enforcement officials. I think it is also noteworthy to say that the Birmingham Police Department has recently added Negroes to its police force. Of course, this is something that should have occurred many years ago or longer, but we are making progress in Birmingham and in Alabama.

I think that, while at times it may appear to be painfully slow, certainly the vast majority of the citizens of Alabama, and of Birmingham,

ham in particular, do not belong to an organization such as the Ku Klux Klan. This is a fringe, lunatic, hoodlum, lawless element which by no means is at all representative of the fine citizens of our State.

Mr. BUCHANAN. Thank you for that clarification. We appreciate your testimony.

The CHAIRMAN. Thank you very much.

Mr. KALER. Mr. Chairman, one of the points I made was discussing this legislation with the members of our district. I found that everybody was united in the purpose to which this legislation was addressed and I am certain that the chairman and the members of this committee will recognize that our own police chief and indeed the mayor of our city have established a laudable example for all such public officials to follow in their comprehension of this problem and being in the forefront of the very fight which you are carrying on to destroy this menace.

The CHAIRMAN. Thank you very much.

Mr. BUCHANAN. Mr. Chairman, I have one more point, if you please, sir. The State of Alabama, for the record, enacted in 1927 legislation which makes it a felony to mask, whip, flog, or assault any person. An act of 1949, and I may say that my father happened to be one of the leading citizens in the citizens committee to bring about the passage of this act in 1949 makes it a misdemeanor punishable by fine and imprisonment for any person over 16 years of age to appear on any public road while wearing a mask or appear at the house of another or while masked to trespass upon private property in any meeting or demonstration. This is a reflection of the will of the people of Alabama.

The CHAIRMAN. Thank you very much.

Mr. NEWFIELD. Thank you very much, Mr. Chairman.

The CHAIRMAN. We have with us Mr. Clarence Mitchell, a representative of the NAACP.

Mr. Mitchell, we are delighted to have you with us and we look forward to your presentation, sir.

Mr. MITCHELL. Thank you.

STATEMENT OF CLARENCE MITCHELL, DIRECTOR, WASHINGTON BUREAU OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

Mr. MITCHELL. Mr. Chairman and Members of the Committee: My statement is very brief and it incorporates by reference a letter which I think is very pertinent. If it is agreeable with you, Mr. Chairman, I will follow the text of my statement and at an appropriate place refer to four pertinent paragraphs of the attached letter.

The CHAIRMAN. All right. Proceed in your own way.

Mr. MITCHELL. Mr. Chairman and Members of the Committee: I am Clarence Mitchell, director of the Washington Bureau of the National Association for the Advancement of Colored People. Because our organization has just recently ended its national convention in Los Angeles, California, there has not been an opportunity for our general counsel, Mr. Robert L. Carter, to study H.R. 15678. However, he has sent me a letter which is pertinent to this testimony. (For full text of letter, see pp. 1459, 1460.)

At the outset, I would like to commend Chairman Willis for the fearless manner in which he has attempted to place the grisly record of the Ku Klux Klan before the Congress and before the Nation. It is also noteworthy that Representative Charles Weltner was one of the first Members of Congress to seek an inquiry into the activities of those who compose the so-called Invisible Empire.

At this point, Mr. Chairman, I would like to refer to a pertinent paragraph in Mr. Carter's letter which is attached. The paragraph reads—

my assumption is that the legislation would require all members of the Klan and other such groups to register with the federal government and/or see to make the activities of such clandestine groups subject to such heavy penalties as to discourage membership therein.

This to me is the important sentence to register our position as an organization:

The reach of the statute in either or both cases is well within the limits of permissible constitutional authority.

The next paragraph that I would like to refer to is one that Mr. Carter points up from a decision involving our organization which distinguishes between Klan-type activity and the activity of other groups:

Mr. Justice Douglas in *Louisiana ex rel Gremlion v. NAACP*, supra, at page 26 has put the matter succinctly. There he said: "At one extreme is criminal conduct which cannot have shelter in the First Amendment. At the other extreme, are regulatory measures which, no matter how sophisticated, cannot be employed in purpose or in effect to stifle, penalize, or curb the exercise of First Amendment rights."

The final paragraph in his letter is:

We believe in the right of free expression and association, but as applied to Klan activities an attempt is made to use those constitutional guarantees to cloak lawlessness and crime. If the Klan would come out in the open, abjure its secret oaths, its pledge to violence and confine itself to anti Negro or anti civil rights activities within the law, no one could rightfully object. What makes the Klan a menace is not so much the ideas it espouses, but the lawless acts it engages in. These must be stopped, and against these acts, Negroes and civil rights workers are entitled to federal protection.

I would just like to say, Mr. Chairman, that I am in the happy position of being the father of a son who is a member of the Maryland Legislature who got through an anti-cross-burning statute in the Maryland Legislature in the last session. It might be interesting to note that the genesis—

The CHAIRMAN. He is a worthy son of a noble sire.

Mr. MITCHELL. Thank you, Mr. Chairman.

The genesis was he called a meeting for the purpose of encouraging people to register and vote. He noticed a suspicious looking car driving around the place and made a note of the license tag. He went in and made his speech and came out and found a cross burning outside. He went to the police because there had been a rash of cross-burnings, and the police just by coincidence happened to have the car on a traffic violation which he had noticed outside the building. However, they said that there was no statute in the State which made the burning of a cross on somebody else's property an offense, and he did introduce such a statute and it did become the law.

I have been a little disappointed at the way it has been enforced.

I have noticed in the adjacent county here of Washington, Prince Georges County, that some of the officials didn't even seem to know that there was such a law, and there have been cross-burnings which apparently have been staged without a whole lot of concern on the part of law enforcement officers as to what might be done about them. I called the fire department once myself and I was told that yes, it was a 40-foot cross burning but they had made arrangements to have a bucket of water nearby to put out this cross. At the next cross-burning they arranged to have a little larger container, but as I understood the situation this fire was spreading all around and menacing other people's property.

Well, I just would like to say, in passing, no matter how many laws we pass if the local officials are going to remain indifferent to them it won't do a whole lot of good. I would hope very much that when and if a statute along these lines is passed it will be adequately enforced.

Now Mr. J. Francis Pohlhaus, counsel for the Washington Bureau, has given careful consideration to H.R. 15678. He has pointed out the following hazards in the bill as it is written, and I agree with his conclusions:

1.) Section 403(4) defines a clandestine organization as one that conceals its membership or the membership of any branch by "any deceptive practice or other means." This could cover law-abiding organizations that withhold membership lists solely for the purpose of protecting individual members against various kinds of reprisals or harassment and even death.

2.) Under Section 406 it is possible that members of a labor union which refuses to disclose its membership lists during an organizing drive, and therefore becomes a clandestine organization under 403(4), could be prosecuted for tying up traffic in front of or preventing delivery of an interstate shipment to a plant or establishment involved in a labor dispute.

I might say, Mr. Chairman, that in the *Bryant versus Zimmerman* case, which is the case that the Court referred to again in one of their recent decisions involving our organization, the Supreme Court noted that the New York statute which made it unlawful to be a member of a Klan contained specific exemptions for certain groups. These were fraternal organizations and labor organizations.

The CHAIRMAN. Let me say that we considered that very statute very carefully, and the definition of clandestine organizations contained in section 403 was gone over with a fine legal tooth comb, so to speak, and we decided to have the language as it appears in the bill.

Now, I want to ask you the same question I propounded to the previous witness. It is true—though extremely farfetched in my opinion—that some might conclude that a bona fide organization could possibly, conceivably, fall under one of the disjunctive definitions of clandestine organization in this bill, although I can't conceive of a Federal attorney worth his salt who would prosecute any bona fide organization of the type we both have in mind.

Yet I ask you how you would feel about, after the definition in section 403(4), adding a clause which, in addition to all the other criteria of a clandestine organization, would say that in addition to any one of those, it would have to be one "whose history, purpose, policies, or activities embrace the use of violence, threats, intimidation, or harassment in accomplishing any of its objectives."

Now I don't see how any one worthy of the name of lawyer, and I am serious about that, if this added language is included, could come to a conclusion that a Masonic order, a fraternal order, the Knights

of Columbus, or any good American body, a fine, civic organization or movement, could by any stretch of the imagination be included because, in addition to all other elements, it would embrace only those organizations whose history, purpose, policies, or objectives embrace the use of violence, threats, intimidation, or harassment in accomplishing their objectives.

I took the liberty of saying that I got the impression from his testimony that the distinguished Attorney General of the United States would applaud this addition. Mr. Newfield, the previous witness, thought the same. What do you think would help the trouble that our Attorney General suggested, the troublesome point he has in mind? Don't you think this would be helpful?

Mr. MITCHELL. Well, I listened to the statement very carefully when you read it the first time, Mr. Chairman, and I believe it is clear, or certainly intended to be clear, that it is conjunctive with the rest of the definition, but the word that worries me in it is "harassment."

The CHAIRMAN. Yes, but that is just one, "harassment."

Mr. MITCHELL. But there again you see it is disjunctive.

The CHAIRMAN. What organization could possibly be accused of coming under it by the word "harassment"?

Mr. MITCHELL. None by a fairminded and reasonable attorney.

The CHAIRMAN. Name one.

Mr. MITCHELL. I said none.

The CHAIRMAN. By a farfetched exaggeration of the statute, could you name one?

Mr. MITCHELL. Well, I—

The CHAIRMAN. The civil rights movement?

Mr. MITCHELL. I was about to name one which does not necessarily come under this definition, but which got into difficulty because of a somewhat similar statute improperly interpreted. What I was about to say is, that in the great State of Louisiana, which has a lot of fine and distinguished lawyers, their attorney general in his execution of duty did undertake to institute an action against our organization under your Ku Klux Klan statute. Happily, we prevailed ultimately, but there was, I believe, a reasonable lawyer and a good one who apparently thought, on reading the language of the statute, that we were covered.

I think it is awfully important to be sure that even if you are dealing with an unreasonable lawyer he is not going to be able to distort the meaning of the English language.

The CHAIRMAN. I am convinced that you would agree, however, that the NAACP, if that is the organization you have in mind, would certainly be excluded if this clause is added to the definition, because certainly I know of no one in the United States who would say that the NAACP is an organization whose purpose, policies, or activities embrace the use of violence, threats, intimidation, or harassment in accomplishing any of its objectives.

Mr. MITCHELL. Well, that is absolutely correct; we do not.

The CHAIRMAN. You pick on the word "harassment," but there again I can't conceive that even though that word is disjunctive in this clause—"whose history, purpose, policies, or activities embrace the use of violence, threats, intimidation, or harassment"—I don't see how any court could pick one word out of all of these to lug in an organization of the type we are now talking about.

Mr. MITCHELL. I really appreciate your saying that, Mr. Chairman. The CHAIRMAN. You think this would be helpful?

Mr. MITCHELL. I would feel confident if you were the judge. With your great reputation for fairness and proper treatment, you would certainly read that word in its proper context. Unhappily there are not as many——

Mr. WELTNER. Mr. Chairman, the word "harassment" is not, as the other words in that sentence, limited to violence and the use of violence. I think that is probably what is troubling the witness.

I think we probably put it in there in that proposed amendment as a synonym.

The CHAIRMAN. That is what I mean.

Mr. WELTNER. So it is not of necessity a synonym for intimidation, and I am sure that fact will be well considered.

The CHAIRMAN. Let me say right now that I have in mind, in using the word "harassment," the type of harassment that comes closer to intimidation, violence, and threats than to the technically possible connotation of harassment in its broader sense. I was trying to search for that thought a while ago. I have in mind that the use of the word "harassment" in this limiting clause is of the type that would be a synonym to violence, threats, or intimidation. That is the type I have in mind, and we want to put that in the report.

I think that will remove all of your fear.

Mr. MITCHELL. May I respectfully ask the chairman for an opportunity to submit speedily a brief memorandum on this language?

The CHAIRMAN. Surely. You are welcome.

Mr. BUCHANAN. Mr. Chairman, if the word "harassment" were not involved, the other verbiage minus the word "harassment," would this solve the difficulty?

Mr. MITCHELL. I know the meaning of the English language, Mr. Buchanan, and I think the rest of it certainly could not by any stretch of the imagination, cover the civil rights organizations with which we are associated, and therefore I would not think in an offhand way that it would be as troublesome a matter. I think it would be remedial. As a lawyer, I am sure you know that it is always good to reflect a little on language and come up with a mature opinion when you have got so much at stake, and that is the reason I asked the chairman for an opportunity to submit a brief memorandum.

The CHAIRMAN. May I say this: This is a legal problem now. We wrestled with this deeply and now it occurs to me that I asked the Attorney General, the chief law enforcement officer of our country, questions along this line. And he agreed that section 403 must be read in context with section 402 defining a clandestine organization which draws a distinction between secret and illicit and illegal activities, and so on, and he came to the conclusion that, when both these sections are read together, I take it that he would not fear that, even under the bill as it is presently drafted, there would be any possibility of there coming into being the fears of your distinguished attorney. I am satisfied that, with the added language that I now suggest which the committee will consider, the matter would be wholly and completely clarified. That would be the intent of the committee, and what I am saying there I intend to follow in the legislative history.

Mr. MITCHELL. Thank you, Mr. Chairman.

Mr. Pohlhaus made two other points. Number 3 is:

3.) The use of the words "any unlawful means" in Section 407 conceivably could cover situations in which persons are asserting a lawful federal right, but acting in a manner that violates some unconstitutional state law or local ordinance.

Now that could easily happen in an area, let us say, where unfortunately we still have a park or place that is off limits for Negroes. A Negro asserts his constitutional right to go in that park since it is publicly owned, he is arrested, he refuses to leave. Now the question is, whether that kind of an action asserting a constitutional right would be covered by this unlawful means.

Mr. WELTNER. Dr. Mitchell, in the event of a conflict between Federal law and State law, the law is quite clear that Federal statute prevails; isn't that correct?

Mr. MITCHELL. As a lawyer I am aware of that.

Mr. WELTNER. Inasmuch as this would be a Federal statute, and prosecution under which it was being initiated by the United States district attorney and the United States court, would not that doctrine of Federal sovereignty solve that problem?

Mr. MITCHELL. I think it would be reasonable to expect that would but—

The CHAIRMAN. I call your attention to the passage in this bill speaking about rights protected or secured by the Constitution and laws of the United States. That, plus the doctrine that my distinguished colleague refers to, would help in solving the problem you have just raised.

Mr. MITCHELL. Well, I would certainly hope so, but this is the mature opinion of a constitutional lawyer.

The CHAIRMAN. I understand.

Mr. MITCHELL. I think that it would be well if we could be sure that there is some reflection on this point and appropriate language.

The CHAIRMAN. Will you let your memorandum cover that point too?

Mr. MITCHELL. Yes.

The CHAIRMAN. All right.

Mr. MITCHELL. Mr. Pohlhaus' fourth point is:

4.) Other examples of broad language which might be used to prosecute organizations not intended to be covered by the bill are "or other means" in Section 403(4); "any purpose, objective, or plan of such organization" (whether lawful or not) in Section 406; "or any unlawful means" in Section 407(a).

Now these are things which we have registered a view on and, with the foregoing in mind, we cannot urge passage of H.R. 15678 and companion bills in their present form. However, in view of the urgent need for laws to curb criminal activity of the Ku Klux Klan, we suggest that consideration be given to strengthening Title V of the 1964 civil rights bill in a manner that will permit the Federal Government to act swiftly and forcefully against Klan violence and intimidation. If this is not practicable, we urge that there be revision and general tightening up of H.R. 15678 and companion bills to make certain that the highly desirable effort to control the criminal conspiracies of the Ku Klux Klan does not also become a means of ensnaring those who may be engaged in controversial but not criminal or unconstitutional activities.

The CHAIRMAN. The letter will be included at this point in the record.

(Mr. Carter's letter to Mr. Mitchell follows:)

JULY 18, 1966.

DEAR CLARENCE: I have not had the opportunity to study the provisions of the proposed federal legislation, designed to curb the activities of the Klan and similar secret oath bound organizations dedicated to violence, intimidation and terror. However, my assumption is that the legislation would require all members of the Klan and other such groups to register with the federal government and/or seek to make the activities of such clandestine groups subject to such heavy penalties as to discourage membership therein. The reach of the statute in either or both cases is well within the limits of permissible constitutional authority.

The required disclosure of Klan membership was upheld by the United States Supreme Court in *Bryant v. Zimmerman*, 278 U.S. 63. At issue was the validity of a New York statute to this effect. The validity of a similar Louisiana law was not questioned as applied to Klan membership in *Louisiana ex rel Gremlion v. NAACP*, 366 U.S. 293, but its attempted application to NAACP members was said to have violated rights of freedom of association.

In *NAACP v. Alabama*, 359 U.S. 449 the Supreme Court distinguished between governmental action directed at membership in organizations engaged in lawful activities, which might run afoul of constitutional proscriptions, and membership in organizations engaged in unlawful acts, which would not. What was emphasized were the secret oath bound nature of the Klan, the dedication of its members to unlawful intimidation and violence, and that the legislature had these factors before it in enacting the law. Many people, of course, want to classify civil rights groups and Klan groups in the same category, with the former seeking to further civil rights and the latter to preserve the status quo. Nothing could be further from the truth. The civil rights groups, where they are membership organizations, are open to the public; their meetings are public meetings; whatever they do, prepare or plan is open and there are no secret oaths or rituals, and there is no attempt to keep their membership secret, except where individual members request anonymity and where southern states shortly after *Brown* sought to secure NAACP membership lists for purposes of reprisals and intimidation. Finally, the civil rights groups seek to implement the law, to secure rights under the law, or to obtain equal citizenship status as mandated by the Constitution.

Mr. Justice Douglas in *Louisiana ex rel Gremlion v. NAACP*, supra, at page 297 has put the matter succinctly. There he said:

"At one extreme is criminal conduct which cannot have shelter in the First Amendment. At the other extreme, are regulatory measures which, no matter how sophisticated, cannot be employed in purpose or in effect to stifle, penalize, or curb the exercise of First Amendment rights."

The hearings before the House Un-American Activities Committee is a sufficient showing of the harm to warrant enactment of the statute. If the law attempts to reach clandestine groups (those that try to keep themselves secret, the identity of their members secret and require binding secret oaths or secret rituals) that too would not be inconsistent with freedom of association and expression held protected in *NAACP v. Alabama* and cognate cases. While government may not be able to require individual members to disclose their membership in law abiding groups, where a nexus has been established between unlawful conduct and organizational membership, disclosure can be required. Where a nexus has been established between clandestine groups and illegal acts, the government may make the acts of such clandestine groups punishable. We believe in the right of free expression and association, but as applied to Klan activities an attempt is made to use those constitutional guarantees to cloak lawlessness and crime. If the Klan would come out in the open, abjure its secret oaths, its pledge to violence and confine itself to anti Negro or anti civil rights activities within the law, no one could rightfully object. What makes the Klan a menace is not so much the ideas it espouses, but the lawless acts it engages in.

These must be stopped, and against these acts, Negroes and civil rights workers are entitled to federal protection.

Sincerely yours,

/s/ Bob

ROBERT L. CARTER, *General Counsel*

Mr. Clarence Mitchell
Director, Washington Bureau NAACP
422 First Street, S.E.
Washington, D.C. 20003

Mr. POOL. Mr. Chairman, I would like to make this comment.

In your prepared statement, Mr. Mitchell, you have praised Chairman Willis and Mr. Weltner, and I agree with you 100 percent; they have done a tremendous job. At this point, though, I want to point out to you that the committee, by a unanimous vote, voted to have the investigation and the minority members of the committee have done a good job in cooperating and participating in the hearings. I myself was one of the first ones to ask for the investigation. I just wanted to get that in the record, that the whole committee has been for this.

Mr. MITCHELL. Well, it is indeed, Mr. Pool, and I feel very bad about not including the members of the committee who worked on this. I think one of the strengths of the investigation was that there was a committee of the Congress with a chairman from the southern part of the United States with southern members on it, who nevertheless undertook to come to grips with a serious problem which has great emphasis in the South, but which nevertheless is a menace to the entire country.

I certainly did not mean to fail to express my appreciation for those who have tried to pull the hood off the Ku Klux Klan and to stand out the fiery crosses so the cross will be a symbol of decency, as it is supposed to be in a Nation that believes in God.

The CHAIRMAN. May I say that, in connection with my statement about acts of silly attempted harassment of myself, one morning at wee hours, maybe at 3 o'clock in the morning—I am an early riser—I was up at 4 o'clock and I woke up to find out that there were at least a hundred great, big, oh, 3 by 3 flysheets with the fiery cross distributed all over my front yard and that was supposed to intimidate me.

"Big D," I told them; that is, big deal. "Now what am I supposed to do, tremble?"

Mr. MITCHELL. I might say, Mr. Chairman, it is one thing in Washington or New York to take a stand against these things, and I admire everybody who does, but when somebody like you, living in an area where they can reach you, takes a stand I think that is crystal-clear commendable courage. I have always felt from the very first day that I heard that you were having a problem that you could take care of the situation because you are a tough opponent—you are a fair opponent but you are a tough opponent for anybody to have.

The CHAIRMAN. Well, I have four of them against me right now and I am doing the best I can to take care of all of them.

Thank you very much.

Mr. BUCHANAN. Mr. Chairman, off the record. I thank you for praising me. [Laughter]

Mr. MITCHELL. Mr. Chairman, if you will indulge me one moment in reply to Mr. Buchanan you may be interested to know that my former Senator Claude Pepper, who is now a member of the House

was running once for the Senate, his opponent got a colored man to go around the State everywhere that Senator Pepper appeared to shake hands with him to have a picture of him doing it. So I do not include you in my commendation.

The CHAIRMAN. Thank you very much.

Now I would like to make a statement.

I have in my hand a flysheet announcing that there will be a press conference called at noon by the national committee to abolish this committee [National Committee To Abolish the House Un-American Activities Committee] and I have an idea that anything but nice things will be said about this committee at the conference. When an organization of this kind has such an open hostility against this committee, I think it might be reasonable to conclude that its judgment might be somewhat warped, so perhaps the press might consider the source of that press conference.

However, I want to read a part of the statement I made yesterday:

These hearings are being held today to obtain the views of various witnesses concerning these bills, to listen to their criticisms of them, or to any recommendations they might have for strengthening or improving them.

Now I issued a press release a week ago, inviting just anyone who wanted to testify to come forward. I notice that in the audience right now there are two members of the group that called this press conference and I now formally invite them to testify if they want to stand the cross-examination.

If not, the committee will stand in recess until 2 o'clock this afternoon.

(Whereupon, at 12 o'clock noon Thursday, July 21, 1966, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, JULY 21, 1966

(The subcommittee reconvened at 2:30 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Weltner, and Buchanan.)

The CHAIRMAN. The committee will come to order.

Our first witness for the afternoon is Mr. Joseph Rauh.

We are glad to have you, Mr. Rauh.

Mr. RAUH. Thank you, sir.

STATEMENT OF JOSEPH L. RAUH, JR., ON BEHALF OF AMERICANS FOR DEMOCRATIC ACTION; ACCOMPANIED BY DAVID COHEN, NATIONAL LEGISLATIVE DIRECTOR OF ADA

Mr. RAUH. Mr. Chairman and Members of the Committee: My name is Joseph L. Rauh, Jr. I serve as ADA national vice chairman for civil rights and civil liberties. On behalf of the officers and members of Americans for Democratic Action we appreciate the House Un-American Activities Committee allowing ADA time to testify.

I have with me Mr. David Cohen, who is the national legislative director of ADA.

ADA's requirement for membership specifically states that:

Americans for Democratic Action is an organization of progressives dedicated to the achievement of freedom and economic security for all people everywhere

through education and democratic political action. We believe that rising living standards and lasting peace can be obtained by democratic planning, enlargement of fundamental liberties and international cooperation.

We believe that all forms of totalitarianism are incompatible with these objectives. In our crusade for an expanding democracy and against Communism, Fascism and reaction, we welcome as members of ADA only those whose devotion to the principles of political freedom is unqualified.

ADA has a 20-year record of devotion to and respect for the democratic process. We deplore racism. Our contempt for the Ku Klux Klan and all perpetrators of violence and bigotry needs no amplification.

But we believe that all public policies should conform to the requirements of the Constitution. We believe this standard holds true even for legislation designed to control the activities of those organizations that are arch enemies of democratic society such as the Ku Klux Klan and the Communist Party. The strength of our system is that we possess constitutional means to protect our democracy. This elementary concept is ignored by the Willis bill.

ADA vigorously opposes H.R. 15678 because the bill is unconstitutional, unworkable, and unwise. If enacted, it would fail to protect individuals against the Klan's activities of violence. Bluntly put, this legislation is a fraud on the American public: ostensibly Congress would have limited the illegal activities of the Klan; in fact this legislation does not.

The most effective means of dealing with the Ku Klux Klan is to enact a meaningful Civil Rights Act of 1966 that will overhaul the southern system of "justice" from stem to stern. H.R. 14765, approved by the House Judiciary Committee, is but a very small start in this direction. The civil rights bill should be strengthened to include provision for civil indemnity for those who are victims of violence whether organized or by individuals. It should provide for trial of State racial crimes in Federal courts, for Federal removal of State officers like Sheriff Rainey, for total jury reform.

The administration of justice on an equal basis for all citizens is fundamental in a democratic society. After long and bitter years in which southern juries have denied simple justice to Negroes, the murderers of William Moore, Medgar Evers, four young girls in a Birmingham church, James Chaney, Michael Schwerner, Andrew Goodman, Jimmie Lee Jackson, Rev. James Reeb, and Jonathan Daniels—white and Negro—remain unpunished. It is this mockery of our judicial system that must be halted.

Fundamental to the achievement of equal justice is the total elimination of segregation and discrimination in our jury system. The right to trial by a jury of one's peers is basic to a democracy. A jury must consist of peers; it must not be for whites only. H.R. 14765 should be strengthened to accomplish this purpose *now*.

We ask the House Un-American Activities Committee to stop toying with the Klan. If the members of this committee really want to do something to destroy the Klan, they should join with the civil rights movement in revamping H.R. 14765 to make it truly a bill for justice in the South. Only when southern prosecutors and juries enforce the law equally against white and Negro will the terroristic activities of the Klan be stopped.

Already Titles III and V of the civil rights bill cover practically everything that would be unlawful under H.R. 15678. If the civil

rights bill is strengthened the way we ask, then the Klan will really face extinction. But there is nothing in H.R. 15678 that will come close to doing the job.

The Klan when it engages in its "unlawful activities," does so to deny Negroes and other minority groups rights protected by the Constitution. The Willis bill seeks to reach these acts by vague formulas of "clandestine organizations" and "criminal conspiracies." The civil rights bill, in contrast, spells out in Title V the specific prohibited acts and makes them punishable in Federal courts.

It does not burden the prosecution with the necessity of proving that the perpetrator of the crime was a member of a proscribed organization. In conjunction with Title V of the civil rights bill, the general conspiracy statute can be applied if the illegal deed results from joint operations.

The use of the existing general conspiracy statute is applicable without the necessity of proof that the conspirators are members of the organizations proscribed in the Willis bill.

The issue is clear. The proscribed act should be what the accused did, not who he is or what organization he is a member of.

Section 404(a) of H.R. 15678 makes it a crime to travel in or use facilities of interstate commerce to commit a crime of violence to further the purposes of a clandestine organization. Since the purpose of such organizations will doubtless be to deny rights under Title V of H.R. 14765, the civil rights bill would be preferable to prosecute acts of violence because it is unnecessary under that bill to show an interstate commerce aspect of the crime.

Apart from the general thrust of H.R. 15678, which is detrimental to needed civil rights protections, the bill uses such broad terms as to render it unconstitutionally vague. Examples abound: "or other means" in section 403(4); "any purpose, objective, or plan of such organization" whether lawful or not in section 406; "or any unlawful means" in section 407(a). This legislation might even cover organizations such as the Masons, Knights of Columbus, and college fraternities. Most important, it might cover civil rights organizations seeking to secure the vote for the disenfranchised and seeking to attain basic constitutional rights.

In the name of curbing terror and intimidation, this legislation will proscribe organizations that may violate trespass laws or disorderly conduct statutes solely because they protest segregation or local conditions in general.

In conclusion, Mr. Chairman, we oppose the Willis bill because it short-circuits the Constitution. Moreover, this legislation, even if constitutional, is totally inadequate to prevent and end acts of terror and intimidation.

The only real way to begin to deal with terror and intimidation is to enact a Civil Rights Act of 1966 that will prevent violence and end segregation in our judicial system.

The CHAIRMAN. Mr. Rauh, your prepared statement surprises me, to say the least. First of all, I want to make it crystal clear that I object—and very strongly—to your allegation that my bill is a fraud. I have been a lawyer for 40 years; I know you are one, too. I take it that you stand high before your own bar in the District of Columbia. I know of no one who stands higher than I do in my own State and

before the Federal Bar, to both of which I belong and our American Bar Association.

I have been a member of Congress for 18 years. Sam Rayburn used to say that—I see you smile. If he was a friend of yours, he was a dear friend of mine.

Mr. RAUH. He was a very respected friend.

The CHAIRMAN. He said a Member of the House had to have two constituencies, the people, to be sure, who vote for him back home, and that he better get along with his colleagues here on the Hill, too. I have tried to do that.

Now, during my 18 years of service here I have introduced, drafted and amended many bills in those years. In addition to being chairman of this committee, I am chairman of four subcommittees of the Judiciary Committee, which handles more legislation than any other committee of the House. In fact, sir, I have more committee assignments and am the chairman of more subcommittees than any of the other 435 Members of the House of Representatives. I have never introduced or had anything to do with a fraudulent piece of legislation.

Now, if you have any doubts about that statement, I challenge you to submit the question to any jury, please, and particularly the jury of my own peers, a panel of the House Members here, and you might include in that, please, the leadership of both parties at the highest level, from John McCormack to Carl Albert, to Jerry Ford and the whips, and then even to the housekeeper and the pages and other minor officials of the House of Representatives.

I regard your statement about fraud not only as an attack on my integrity, but also an attack of the same type on the four other Members of the House who have introduced identical bills.

There is a lot of heat in your statement, Mr. Rauh, but I am afraid very little light. You claim that my bill ignores the elementary concept of constitutionality. I deny that charge and I am not alone in denying it. The chief law enforcement officer of the United States, the Attorney General, testified yesterday. He said he saw constitutional problems in *some* of the bill's provisions but that is all. He, in effect, denied your charge.

This morning your charge was also denied, in effect, by the representatives of the Anti-Defamation League and the NAACP.

You have also accused this committee of toying with the Klan. I deny your accusation.

The Attorney General in his testimony yesterday, and Mr. Celler, the chairman of the Judiciary Committee, in a letter submitted for the record contradicted it. ADL and NAACP by their statements have contradicted it. I might add it has been contradicted by newspaper columnists, law enforcement officers, commentators, and others in all parts of the country.

You can make your sneery statements, the only type you have submitted; there is no way to stop you, but I don't think you do yourself or the ADA any good when you make them.

You recommended that my bill be amended to accomplish certain things, all of them in the area of civil rights. This surprises me, too. I thought you knew, sir, that you were aware that the House Committee on Un-American Activities has no jurisdiction in the area of civil rights and that the purpose of my bill is to reach organized clandestine activities. Your recommendations, therefore, are inapposite.

You claimed that Titles III and V of the civil rights bill cover practically everything that would be unlawful in my bill.

Now let's look at the facts when we go into that claim. There are 16 sections in my bill, 5 of which do not figure in any comparison with the civil rights bill. They are the first three and the last two, which spell out the title, congressional findings, definitions, the nonpreemption and separability of provisions sections. They are more or less common to all bills.

That leaves 11 sections with which Title V must be compared to see which is the most effective anti-Klan bill. Eight of these 11 spell out prohibited acts, namely, sections 404-411. Two others provide for injunctive relief and immunity in connection with it, 412 and 413. One deals with criminal contempt, 414.

How does Title V shape up against these 11 sections?

The fact of the matter is that seven of these sections encompass matters that Title V does not touch at all, sections 407 to 412 and section 414.

That means there are only four sections in my bill, sections 404 to 406 and section 413, in which there is some overlapping with the civil rights bill or its various titles. Each one of these sections is actually broader than the Civil Rights Act or its Title V because they are not limited to unlawful conduct motivated by questions of race, religion, or national origin which, incidentally, is an element of proof necessary at the threshold under the Civil Rights Act, but not at all under my bill.

So I stop where I began. Your statement surprises me and amazes me. Yesterday I said that I took the view that if hate organizations to the right or to the left—although I don't like to use those names; sometimes they are meaningless to me. Sometimes people ask me, "Are you a conservative or a liberal?" I said, "I don't know, I don't think I am either; I am a considerate Congressman, I consider my folks back home, that is what I am." I am not necessarily a conservative or a liberal, I like to be a considerate Congressman, considerate of my fellow men, considerate of my fellow human beings, considerate of my constituents back home.

I did say that if hate groups to the right or to the left were engaged in peddling merchandise instead of notions and ideas and ideology, they could all assemble under the Astrodome in Houston and have one common sign for their wares, "Hate For Sale." I said that as cheap and as truly common as hate is, yet the price of it in freedom and liberty—to which you express such devotion—was very high indeed. And that price is discord, disagreement, the spreading of suspicion against fellow men and against public officials, against our very form of government.

Now, frankly, I did not mean to include and I do not include your organization, ADA, as a hate group. I can make that statement to you because I can't imagine that my good friend the Vice President of the United States, Hubert Humphrey, whom I know as a reputable member of your organization, could be in any way connected with a hate group.

I must say, however, sir, that judging from the mean things you had to say in your statement, including the accusation of fraud on the part of four other Members who are authors of my bill, that perhaps you

could have a little sub-sign under the Astrodome, "The Joseph Rauh Hate Section" of the broad "Hate For Sale" sign on the Astrodome.

I am sorry, sir, to have made that statement. I hope you didn't mean what you said. I would hope that you are man enough to take it back. If not, I am afraid I can't retract anything I have said.

Mr. RAUH. May I respond in this way, sir: First, I read the Attorney General's statement yesterday—and I don't have it in front of me—maybe one of your staff has it—but it said flatly that your bill raises questions of constitutionality.

The CHAIRMAN. Yes; I remember that, and I remember that he said, however, that when you read section 402 in context with section 403 that practically all of that difficulty was removed.

Now when you read in addition to the two sections, 402 and 403—when, in addition to taking the full bill in all of its parts into consideration, and you consider the following clause that we will give consideration to adding to section 403(4) as follows: "And whose history, purpose, policies, or activities embrace the use of violence, threat, intimidation, or harassment in accomplishing any of its objectives."

I say that when you take those elements into consideration, I would hope you would concede—like the NAACP individual and the Attorney General and all the previous witnesses—that we have the heart, the substance, the nub of your fears as you know them to be, practically totally eliminated.

Mr. RAUH. Sir, I was trying to respond to a number of things you said earlier. I will answer that, but before I answer that amendment question I will finish my response to your comments which I have started.

I had said that I thought that I had read correctly that the Attorney General had questioned the constitutionality of certain aspects of the bill.

Secondly, you indicated that you thought we recommended that your bill be amended in the regards stated in this statement. That is not a correct reading, sir. What we recommended was that the House Un-American Activities Committee, if it wants to deal with the Klan, help the civil rights movement in getting the civil rights bill amended so it will be strong enough to deal with the Klan.

Thirdly, in regard to your statement about Titles III and V not covering the same substance as your bill, I believe that the acts of terrorism which the Klan has committed are more covered in Titles III and V of the civil rights bill than they are in your bill because of the limitations in your bill of membership, criminal conspiracy, interstate commerce.

Fourth and possibly most important, I believe that a bill which purports to do something that it will not do does deserve the word "fraud." Your bill, in my judgment, will not have any serious adverse effect upon the Klan.

The CHAIRMAN. Well, let us say this: If you want to pursue this I am afraid we will have to get rough with each other. I wish you would desist.

Mr. RAUH. I will desist, but you asked me for my position on this and I was stating it. I am not going to say anything I don't believe to this committee or to anybody else. I am going to stick to what I believe.

The CHAIRMAN. Desist from the word "fraud."

Mr. RAUH. You asked me to explain what I meant and I was in the process of doing so. I am not going to say anything I don't believe, here or anywhere else.

The CHAIRMAN. If you are not willing to concede that when all sections are read as the Attorney General said they should be read—which removed practically all of his objections—and in addition to that when you read clause (E) of 403(4) that we will give consideration to and you are not willing to concede that that does not practically meet your objection, I would just say that you are less a lawyer than I had pictured you to be on TV where I have seen you many times.

Mr. RAUH. If I respond to that with respect to your words that you are preparing to add——

The CHAIRMAN. I will say we are considering——

Mr. RAUH. Excuse me, sir.

The CHAIRMAN. I was very careful. I am chairman of many committees; I never bind my members. I said a while ago that I personally thought there was great merit in it. I am saying that it will be considered by the committee and I repeat that personally I think there is merit in the addition of that clause.

Mr. RAUH. I did not mean to misconstrue what you had said. Assuming those words were added, I do not think that they in any way meet the fundamental situation. And if I may state it, it is this: The reason that the Klan survives in the South is because white people can assault and kill Negroes without going to jail for it. The reason for that is that prosecutors——

The CHAIRMAN. I am making it possible to send them to jail in 16 sections.

Mr. RAUH. I don't believe you are, sir.

The CHAIRMAN. In Federal jails, too.

Mr. RAUH. I was trying to say that I don't believe you are, because unless you do something about the system of justice in the South, unless you do something about prosecutors who wink at juries, unless you do something about lily-white juries, you can have all the laws in the world, but you are not going to send Klansmen to jail. And that is what is wrong with this bill.

The CHAIRMAN. You talk about white people in the South. I am from the South; I am proud of it. I said yesterday that belonging to or believing in hate groups would not, in my judgment, make me either a better southerner or a better citizen. I don't believe in that sort of thing. When you are talking about lily-white juries, please don't infer that I am of that ilk or believe in such things.

Mr. RAUH. I did not suggest that. I said, though, until we get laws which revamp the southern system of justice from stem to stern, you are not going to send Klansmen to jail where they belong and you are not going to stop that, and that is what is wrong with your bill. It does not deal with the root cause of this problem which is simply in the South a white man gets off when he assaults a Negro. That has got to be dealt with.

The CHAIRMAN. Let me say something, sir. I said a while ago I have been a lawyer for 40 years. I am not by nature a criminal lawyer, but let me say this, sir, that for 30 or 27 of those 40 years, when I was in active practice in my home town—we have two criminal terms a year—



I made it a practice to represent persons charged with crimes and I would say that 98 per cent of my criminal practice was representation of the colored people that you talk about. And I made it a habit that that was my contribution to human society and human action, and so help me, most of the times I didn't charge those people anything. So don't talk too loosely or too flamboyantly or too freely about southern injustices and winking and lily-white juries, I want no part of that.

Mr. WELTNER. Mr. Chairman, I was somewhat disappointed to see Mr. Rauh's statement to the effect that this is a fraud on the American public. I have had written here the definition in *Webster's New Collegiate Dictionary* of the word "fraud."

I wonder if Mr. Rauh accepts *Webster's Dictionary* as a usually reliable source on the use of American words.

Mr. RAUH. It may be, and if I used the wrong word I will continue to explain what I mean by it.

Mr. WELTNER. Let's see: "Fraud. Deceit, trickery, *specif*: intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right."

I wonder if, in that context, he still characterizes this legislation as a fraud on the American public.

Mr. RAUH. I may not mean it in the exact sense in which that is used, Congressman Weltner. I want to explain it in the sense in which I used it. It is a deal which purports to deal with the Klan which will not in any way adversely affect the Klan. That is the sense in which I used it. If it is a misuse in that sense, I withdraw it.

Mr. WELTNER. Is it an intentional perversion of the truth?

Mr. RAUH. No, I do not believe so. And I told you at the beginning I have been trying to explain what I mean by that word, and I do not withdraw it as I mean it. If it meant something else and it is a misuse of words, then I would be sorry. To me this bill purports to deal with the Klan and will not have any adverse effect on them.

Mr. WELTNER. Well, I am not in any way undertaking to get the witness to recant, but I would like to have his statement gauged against this Webster's definition. I take it he does not mean quite what Webster says; is that correct?

Mr. RAUH. Congressman Weltner, I have said what I meant. I can't say it any better than I said it. I will say that if it is a misuse of terms, it is a misuse. But to me a bill that purports to do something which is not going to have that effect, it is in that sense I used the word.

Mr. WELTNER. Now, inasmuch as Mr. Rauh is particularly concerned about the effect of this legislation in the South and holds very strong viewpoints as to what its effect will or will not be in the South. I think possibly it would be important to have some idea of his own personal experiences with regard to southern problems and how he may have participated in southern lawsuits or lived in southern communities. I wonder if he can give us the benefit of any such experience, bearing in mind, Mr. Rauh, that the three members of this committee present today are all southern men and all of us have taken substantial heat over some matters in the past. I wonder if your experience is greater or better or more elucidating than ours has been, as lifelong southerners?

Mr. RAUH. Well, I would say my experience in the civil rights movement has been greater than yours. I can't say I have ever lived in the South because I have not. But I have argued cases involving the civil rights matters; I have been in Mississippi and represented people there. I represented the Mississippi Freedom Democratic Party; I had to live through all of their many complaints. I think I understand, from the cases that I have been in and the cases in the Supreme Court, what is wrong with the southern system of justice. And what is wrong is that white and black don't get equal treatment.

Even you, Congressman Weltner, won't deny that white and black don't get equal treatment in the courts of the South.

Mr. WELTNER. I won't deny that that has certainly been the occasion in some instances and in too frequent instances in the past.

Let me ask you this about your statement that it is time for us to stop "toying with the Klan." Were you here when Mr. Justin Finger of the Anti-Defamation League testified this morning?

Mr. RAUH. No, sir.

Mr. WELTNER. Well, Mr. Finger stated that his duties consist of the direction of the Fact Finding Bureau of the Anti-Defamation League; that the best estimate that they might have with regard to the total Klan membership in the United States in October 1965 was 50,000; that in February of 1966 that figure had dwindled to 20,000; and that at present he concludes the membership to be around 29,500. Those dates happen to coincide with the commencement and termination of the investigative hearings of this committee and they show that during the period of this investigation Klan membership had dwindled by a percentage of 60 percent.

I wonder if that is considered by you as "toying with the Klan"?

Mr. RAUH. Yes. I think there is only one way to deal with the Klan, Congressman. I think that is to revamp the system that a Klansman will go to jail when he assaults a Negro. And it seems to me the rest of the methods are toying; that the one method of dealing with the Klan is to have a system of justice where the prosecutor and the jury will give them the same treatment when they assault a Negro that a Negro gets when he assaults a white man. Until you get that, the rest of this is exactly what I said it is.

Now it so happens that I don't agree, as I think is well known, with many of the investigative methods of this committee. That is a separate problem, but I think in all candor I should state that I don't think it is the function of this committee to deal with exposure for exposure's sake, but that is a separate problem I only mentioned to lay the whole thing on the record.

The real point I am making this afternoon, whatever may be the right or wrong choice of words, the real point I am making is that you are going around about it the wrong way. You are never going to stop the Klan until a Klansman can go to jail for what he does.

Mr. WELTNER. The action of the House Judiciary Committee which did not include some of the recommendations that you have in the present civil rights bill, do you consider that to be a fraud on the American public, too?

Mr. RAUH. No, sir; that bill is exactly what it says it is. I don't consider it that in any way, shape, or form, Congressman Weltner. I think the bill is too weak. We are going to try next week through

various civil rights efforts to strengthen that bill. I don't know whether we will be able to do it. I hope we will have your support when we try to strengthen that bill.

Mr. WELTNER. Is it your contention that that bill, and nothing but that bill, could conceivably under any possible circumstances constitute any contribution to the administration of law and justice in this country?

Mr. RAUH. I don't take that position, but I do take the position that this bill will not add to it.

Mr. WELTNER. Well, now in the case of the *United States versus Original Knights of the Ku Klux Klan*, Judge Wisdom, presiding over a panel of Federal judges in the Eastern District of Louisiana, rendered a decision on December 1, 1965, issuing a restraining order against the Original Knights of the Ku Klux Klan and in that he stated as follows, after stating that there were indeed Civil Rights Acts that had been passed.

He went on to state: "The most effective relief for him"—speaking of a Negro who had been tried for his rights—"and for all others affected by the intimidation may be an injunction by the Nation against the private persons responsible for interfering with his civil rights."

I take it that you think the use of the injunctive process could never under any circumstances have been of any value in protecting the rights of individuals in this country?

Mr. RAUH. Oh, no, sir. I am one of those who has fought for what is known as Part 3 since 1956 and most members of this committee have opposed that. What is now Title III of H.R. 14765 is an injunctive provision, of which I am one of the authors, and it will, I think, do a much better job than the injunctive provision in 15678, and I call your attention to that provision. It says:

Whenever there are reasonable grounds to believe that any person is about to engage or continue to engage in any act or practice which would deprive another of any right, privilege, or immunity granted, secured, or protected by the Constitution or laws of the United States on account of such other's race, color, religion, or national origin, such other person in his own right, or the Attorney General for or in the name of the United States may institute a civil action or other proper proceeding for temporary or permanent preventive or mandatory relief, including application for temporary restraining order or preliminary injunction, permanent injunction, or order requiring posting of a bond to secure compliance with orders of the court.

Mr. WELTNER. That is Title III of H.R. 14765?

Mr. RAUH. Yes, sir.

Mr. WELTNER. That refers to public education.

Mr. RAUH. No; you have an earlier draft.

Mr. WELTNER. This is 14765.

Mr. RAUH. Not as reported out by the committee, sir. Here is the one as reported out by the committee.

Mr. WELTNER. Then you have no objection to a provision that would provide for a restraining order or injunction against any person or against any organization that is engaging in the deprivation of the rights of others?

Mr. RAUH. Well, subject only to the word "organization"; there you run into problems of clarity, and so forth. Whether you get it against an organization, what effect that may have on an individual member of the organization not knowing it, but if you put it on the ground of injunction against the person, I certainly would be receptive.

Mr. WELTNER. Who?

Mr. RAUH. Named people. There is no problem.

Mr. WELTNER. What about persons named and their agents or associates?

Mr. RAUH. As long as it is clear enough who it is covering, I would be in favor of it.

Mr. WELTNER. So you would have no objection to section 412, I believe it is, of this bill so long as the style of the case were adequate to reasonably apprise the defendants just as to who might fall within the scope of the injunctive decree?

Mr. RAUH. The difficulty with section 412, as I read it, is that it is much more limited than the Title III which I read to you. Section 412 seems to be limited to a criminal conspiracy, and I don't believe one should so limit it. I think if there is no conspiracy at all there would certainly be reason for an injunction as you have in Title III of the Civil Rights Act.

Mr. WELTNER. Well, if there were a criminal conspiracy that would be no reason to withhold the injunction, though; would it?

Mr. RAUH. No, sir.

The CHAIRMAN. Let me say this: I take the opposite view from what you do. I take the position that our bill is broader than Title V of the Civil Rights Act, even the proposed Act of 1966.

Take, for instance, the injunctive relief in Civil Rights, say all Civil Rights Acts. At the threshold the proof must be that the relief is to afford relief against matters involving race, religion, or national origin. My bill is not so limited. My bill provides injunctive relief against any unlawful act and any attempt to interfere with federally protected rights.

Now I gave some illustrations yesterday of what the civil rights bills do not now and, as far as I know, never will reach. I took this illustration, for instance I will try it out on you. The Attorney General answered it very frankly and agreed with me.

I said that suppose, under the civil rights bill, a Klansman would assault or murder a white atheist, could you prosecute under Civil Rights? Really, he has no religion. Religion is not involved, race is not involved; it is a white man.

I gave a specific illustration of the horror wrought by this silly old man from Tuscaloosa parading around here with his Grand Dragons as though he were a Hitler and calling himself the Imperial Wizard of an Invisible Empire.

Now let me ask you a very frank question: You said that you had very strong feelings against this committee. I hope they are not so strong, really, as to warp your mind as a lawyer in the interpretation of the bill. I presume this is your honest, sincere belief—though contrary to the one I have taken that our bill is broader than the civil rights bill.

When you say—you keep on repeating—that it will never afford any relief, it has got to be the civil rights bill or nothing, which I say is a narrower bill, then your position really is contradicted by a great friend of mine and a great civil libertarian whose name is Emanuel Celler. He disagrees with you. The present Attorney General, the previous ones, were awfully good friends of mine. The present one disagrees. I think Bob Kennedy would disagree with what you have to say here

today about the fraudulent bill that the members of this committee foster on the American public, and all the rest.

I know your devotion to civil libertarianism. I know that during the KKK hearings you took the view that we had better leave it alone: that you came, in effect, to the rescue or to the defense of Ku Klux Klansmen that I know you have deep resentment for. I have seen you take up the cudgel on the same legal basis, as you yourself said, for the Communist members.

Now could you not find it in your heart to believe at least Members of Congress would be entitled to the same consideration of your organization and to belief that we are trying to do the best we can and that we do really mean to provide a bill that would give relief?

Mr. RAUH. May I just respond to that in two separate ways?

The CHAIRMAN. Trying to cross-examine you, Mr. Rauh, is like trying to lasso an oyster. I know I can't do that.

Mr. RAUH. Well, I don't know whether to take that as a compliment or not, but I would like to say—and I don't know how you will take this, I hope that this does not hurt you in Louisiana—I hope you are successful in that race to which you referred.

Secondly, I would like to say that the breadth of the two bills involves two separate problems, and I think this is where the confusion may lie between the members of the committee and me.

The breadth of the civil rights bill as we want to amend it meets with two problems; first, the problem of making southern justice more equal. Your bill does not deal with that at all. The second problem is one of making certain things Federal crimes, and it has been on that that the argument has been, which is the broader.

Now, I am convinced that the civil rights bill here is much broader than yours, but I, too, am not satisfied that the civil rights bill is broad enough.

When I said that I thought the most valuable thing that could be done would be to help broaden that situation so it will cover all violent assaults by the Klans, in reference to the particular case that you referred to of the Klansmen killing the white atheist, my answer to that is, it is not covered by the civil rights bill, but that it is rather an academic question.

The real question that is before Congress is: Are we going to do something to protect Negroes and civil rights workers from the Klansmen?

The CHAIRMAN. By all means. By all means, and I am so glad and so happy that the beneficiaries of my bill—but again, that has to do with the breadth of the two bills.

I take it that my bill is broader in that it reaches the Catholic, the Jew, the white man, as well as the Negro, and it is specifically in that area I think that my bill is broader.

My bill is not intended to be a civil rights bill, not in the sense that I don't want them to be covered or protected, but in the sense that it is intended to overreach that and reach all Americans who are the victims of terrorism.

Mr. WELTNER. Mr. Chairman, following Mr. Rauh's point about the right of the atheist being an academic point, what would happen if in a city like Bogalusa a group of white persons decided they were going to invite another white man to come down and talk to them

about community problems, and then there was an organization in that city that passed the word around by stickers and by telephone calls and by cross-burnings and said anybody who goes to that meeting is going to be considered an integrationist, and treated as such?

Now, will you agree with me that under Title III of the Civil Rights Act of 1966, as amended by the committee, there would be no injunctive power to protect the citizens of that community from such as event?

Mr. RAUH. It would depend on what the purpose was. If there was a racial connotation in the thing, I think it would be covered.

Mr. WELTNER. The bill says on account of such other's race, color, religion, national origin, and all of these are white persons.

Mr. RAUH. Well, the white person would not matter, if it was a racial motivation. That is the whole purpose of the thing.

His example I would put this way. Congressman Weltner, the civil rights bill which we have been supporting is one where whites working in the civil rights field are given the same protection as Negroes working in the civil rights field.

The question is: Are they working in the civil rights area?

Indeed, we have suggested a definition of race, which is that race includes not only persons of another race, but those who advocate rights for persons of the other race.

Mr. WELTNER. You mean you advocate changing "race" to include a state of mind?

Mr. RAUH. Actually we have the exact definition—I have not got it before me. It is in the Douglas-Case bill. Actually, this civil rights group originally sought much of which it did not get in the bill, as the one introduced in the House by Congressman Diggs and Congressman Fraser and one or two others, and in the Senate by 21 Senators, including Senator Douglas.

In that bill we define that a crime by reason of race, is a crime by reason of race if it was intended to get at a Negro or at a white person who was advocating the rights of Negroes.

Mr. WELTNER. But this language in the House bill says on account of such other's race. Now, that would not mean the same thing that you are mentioning.

Mr. RAUH. It would with our definition, yes.

Mr. WELTNER. But that definition is not in the bill.

Mr. RAUH. We are trying to get it in.

Mr. WELTNER. But it is not in the bill. If it does not get in the bill, it is not in the bill now, then this Title III would not cover Bogalusa's situation.

Mr. RAUH. If there was nothing more in it than you put, the answer is correct.

Mr. WELTNER. All right. If you look at section 412 of the bills before this committee, the injunctive relief provided in this case would apply to the Bogalusa situation, would it not?

Mr. RAUH. If it was as you put it a "criminal conspiracy," a thing that I have grave doubts about your ability to show in a given instance.

Mr. WELTNER. Do you believe that the Original Knights of the Ku Klux Klan is an organization which advocates teaching, employing acts of violence, intimidation, or harassment for the purpose of coercing citizens to do, or not to do, any act or thing, or to engage in or refrain from any course of conduct?

Do you believe that, sir?

Mr. RAUH. I think as I interpret your language that would be correct. I point out to you that they have been trying to get the Communist Party under this kind of general language for years, and it, too, falls within it, but the court simply does not like these membership operations. You lose every single time you work on that basis. The Supreme Court has knocked out everything connected with the Internal Security Act, of which—

The CHAIRMAN. Mr. Rauh, let me say we were importuned by many civil libertarians to have a registration similar to the one in the Internal Security Act, which, by the way, is my bill. I reported that bill out of the Judiciary Committee in 1950. But I resisted it here, because I don't think that it will work.

Frankly I confess this to you, talking in terms of law, I don't find it shocking that the Supreme Court concluded, in light of the Smith Act and Internal Security Act and the other acts, that asking a person to sign and say, "I am a Communist," involves his fifth amendment rights.

That does not shock me, that the Supreme Court said that. I am not shocked at decisions. As a lawyer, I look at these things pretty objectively.

Mr. RAUH. I am glad you resisted the registration thing.

The CHAIRMAN. I don't think it would work.

Mr. RAUH. I don't, either, but I don't think this is going to work, either, sir.

The CHAIRMAN. I will tell you about a bill I am preparing to introduce. I am going to overhaul the Internal Security Act, which came out of this committee and over which we have jurisdiction, by an amendment to the Internal Security Act. And I tell you how it will work; I will try it out on you.

Do you know under the structure of the present Internal Security Act you have the Subversive Activities Control Board. Someone is alleged to be a Communist. Then you have adversary proceedings with representation of counsel and evidence is heard, and the Board concludes that Mr. A is a Communist.

Then thereafter it lays the foundation for registration, for criminal prosecution for failure to register, and all the rest, which the courts, as I said, negated, made ineffective in part.

After the proceedings before the Board, I would stop right there, and not go through the involvement of possibly running afoul of the fifth amendment right. I would do this by saying that well, thereafter the Attorney General shall have a roster and do the registration, not for purposes of prosecution, but if we had that—and this is not exposure for the sake of exposure, sir. We have not had a new Attorney General's list since when—1957 something?

Anyway, I am going to overhaul it by saying that there will be a register, all right, but it will be a register kept by the Attorney General, and not go on and compel or try to compel the man to come forward and sign and invoke, "I am a Communist" or "I am a Klansman."

I don't believe the old registration or disclosure provisions are going to work altogether. The courts have expressed themselves on this subject, and I thought it was the better part of wisdom not to fool with it in klanism.

Although there may be a distinction between klanism and communism, I just did not want to monkey with that.

Are we too far apart?

Mr. RAUH. Well, I am afraid we are. I hate always to be far apart, but I cannot help it, and still stand by the first principle, which was I am not going to say anything I don't believe.

I cannot bring myself to a registration system, whether it is one place or another. Most respectfully, I just oppose the idea of registration, and I personally don't believe the Internal Security Act is going to work. It has not worked up to date, by virtue of the Supreme Court's decision, and I just cannot feel that it is subject to improvement.

I certainly don't challenge the fact that I am sure your effort is to improve it, but I cannot bring myself to feel that it will make a substantial difference, or that you are going to accomplish the ends you say.

The CHAIRMAN. At least, are we together in not having a self-disclosure on registration?

Mr. RAUH. We sure are.

The CHAIRMAN. Short of my proposal, I might even go to you for a proposal.

Mr. RAUH. Well, it is awful nice of you, but my general reaction to it, I have ideas on these subjects, I cannot help it, I have worked in this field. My reaction to the problem of how you deal with communism is to get the Communists for espionage and sabotage, and leave them alone otherwise.

It is not a dissimilar idea that I have about the Klan, that you get them for the acts they commit, and not for membership in other things.

I think we do agree on another point, and that is that the Klan and the Communist Party are very similar operations, in the sense of the way they perform and their danger to our country.

The CHAIRMAN. Their methods parallel.

Mr. RAUH. That is right.

The CHAIRMAN. Secrecy, front organizations.

Mr. RAUH. Right. The difference between us is not the difference in that belief. The difference between us, I think, is you deal with both on the basis of the particular acts without regard to their membership.

The CHAIRMAN. I don't, and that is one more point. One more time I say that I am in direct disagreement with you.

For instance, under the Civil Rights Act, if there is a kidnaping or a murder, it must be related to race, color, national origin. But the murder of a Lemuel Penn is a murder, or the murder of a Jew is a murder, and the kidnaping of a person is a kidnaping, and you don't have to prove or relate it to race and so on, which I think is a burdensome additional element of proof that my bill does not require, and the Civil Rights Act does.

Mr. RAUH. Sir, may I most respectfully suggest that what you require is more burdensome.

The CHAIRMAN. I disagree.

Mr. RAUH. All right. We will just agree to disagree.

The CHAIRMAN. I hope we can do so.

Mr. RAUH. I am smiling.

The CHAIRMAN. You were mighty serious when you read the statement.

Mr. RAUH. I am still serious, but I enjoy the fact that we can try to find areas of agreement. Apparently we found at least one, which was that the Klan and the Communist Party operate in approximately the same way, and they require the same methods to get at them.

We disagree on the methods to get at them.

Mr. WELTNER. Well, Mr. Chairman, in view of Mr. Rauh's organization's belief in democratic political process, if this bill passes the House and the Senate, voted on by a majority of the people's elected representatives, being a democratic political action, I am sure he will agree with what we have done as a product of our work.

Mr. RAUH. Congressman Weltner, subject only to the reservation that I may try your case in the Supreme Court some day, subject only to that, we will accept whatever happens.

One thing I want to make perfectly clear, whatever the Congress passes, and the court upholds, that is the law of the land. Certainly we may disagree here on what ought to be done, but we would certainly agree that that would then be the law of the land, to which all people would subscribe.

The CHAIRMAN. That is at least two things we agree on.

Mr. RAUH. Well, we are working hard here, now.

Mr. BUCHANAN. Mr. Chairman, at this late hour, with all this harmony that we have, I would not want to sound a voice of discord, but as the loyal opposition, may I respectfully ask Mr. Rauh: Don't you think it is reasonable to assume that when a distinguished attorney appears before a committee of the Congress, that the language which he uses shall be somewhere within hailing range of Webster's definition of the term?

Mr. RAUH. I think that is correct, and I am not challenging that. I simply stated my definition, and I stand by it.

I would like to say to the Congressman from Alabama that I believe it is your system of justice there, or rather injustice, that is going to make this law not work until we get at that.

Mr. BUCHANAN. Now, may I say to the gentleman that he just referred to my system of justice, and, Mr. Chairman, I do hate to bring up politics in this matter, but I am heartily aware of the prevailing party in my State.

May I say further, sir, that, as you said this morning, it has been a long, old, and in my judgment rather bad, habit for many years for people who live outside the South, and who have never lived within the South to practice this thing of South-baiting.

We have heard about southern justice, and about the southern system, and about all of this which is aimed at the South, and the things that are wrong within the South. Certainly we are aware that there are many things wrong within the South, but it would seem there is some evidence—I don't want to make an intemperate statement or extremist statement or use language that would mean other than what I am saying, but it would seem that there is some evidence that would indicate that there is some difficulty in this general area outside the South, that there is some evidence to date this may even be a national problem, and indeed may even be an international problem.

Indeed, it would seem to me that the time may eventually come when South-baiting will just not do the job any more, and we will have to face up to national problems and solve them everywhere, frankly and honestly.

Would you find any merit in that?

Mr. RAUH. We are going to have another agreement. It may kill you, but we are going to have another one.

I think that the civil rights problems have become national problems and are national problems. I think, for example, that the housing problem is clearly a national problem, and indeed it may be worse in the North than in the South, but what I cannot understand is why you will not help us northerners now get the provision for antidiscrimination in housing.

This is something that is a national problem, and I think you are right in saying that a lot of people who have been talking when it was a southern problem are not talking as loud now that it is a national problem.

I think the difficulty, therefore—we agree on the basic problem that it is now a national problem, but we would like your help, now that it is a national problem, to help us clean up the northern cities, where there is discrimination in the suburbs.

Mr. BUCHANAN. One other point—

The CHAIRMAN. I want to say that to get that relief you are before the wrong committee. You have to go to the Judiciary Committee.

Mr. RAUH. I agree with that, too.

The CHAIRMAN. That is the fourth thing.

Mr. BUCHANAN. One more thing, Mr. Chairman, and then I will yield back.

I certainly would not pit myself further against such an able man, but I would say simply this, that the jury which did bring the convictions under the civil rights law in Alabama in the Liuzzo case was an Alabama jury, composed of Alabama citizens, and presided over by an Alabama judge.

So I hardly believe it would be scientific or reasonable or fair to virtually throw the entire South, and all its people, into the same lump of injustice, discrimination, and violation of civil rights.

Mr. RAUH. I don't have to challenge that. Possibly we would find a fourth point of agreement, where you said before that you are really not responsible for the present administration in Alabama, and I take it we could agree that Governor Wallace's administration is not the best system of justice in Alabama.

Mr. BUCHANAN. We might be getting close.

Thank you, Mr. Chairman.

The CHAIRMAN. Let me say this, Mr. Rauh. Really one of the kindest things that the Attorney General said yesterday was that I as chairman and the committee in general had cooperated to the limit in helping to see to it that the rights of individuals were protected during the hearings, including not only witnesses, but those charged before State and Federal authorities with crime. It may be that people did not catch on to that.

That is the problem that we face all the time on this committee. So we held these hearings as we do others. We encountered here problems we knew existed in advance.

I knew that there were prosecutions before the Federal authorities under the old Section 242 Act. I knew there were State prosecutions, and you would be surprised how very careful we were, and always are, in these hearings.

There are ways of doing it. This is not done in any way but the right way, now. We have to skirt certain passages and testimony. You can control that by your presentations, so that these sharp points are not brought in focus, so that you are not perhaps violating them here.

Oh, I know, we have some people who don't like this committee too well, and how I can hear what their voices would be saying if we had prejudiced, let's say, the rights of those in the case of Colone Penn. And that case was before us from the word, "Go." We had the confession, or still have, a copy of the original in my file in that case.

We knew all about that case. If I had gone forward and presented that without regard to pending criminal proceedings, I know what people would have said: "Here is a southerner deliberately creating prejudice to let them go again."

Thus far, and I knock on wood, I have never been caught in that trap, and that is brought about by a very good working liaison with the Department of Justice, which sees to it that we can deliberately avoid prejudicing the rights of witnesses or known prosecutions. Of course they are all known to State or Federal Governments.

That was a very kind statement for him to say, and that is the one statement that I appreciated, because he knew the problem, and I was aware of that problem all the time. We took very great care not to prejudice the rights of individual witnesses or the rights of people involved in pending criminal prosecution.

I thought perhaps you would say, "Well, that is fine."

MR. RAUH. Well, I did not know what you wanted me to say. I would have agreed.

Let me just make one more point.

THE CHAIRMAN. Well, you are going to have the last word.

MR. RAUH. No, I don't want to. I even withdraw that.

You said why did I not say, "That is fine." I said there are certain things in there that I would have been saying that would not have been within what I believe. There are certain oppositions I hold to the charter of this.

Sir, I have been in front of the Supreme Court several times on the House Un-American Committee. I have been in the court of appeals.

THE CHAIRMAN. Not as presently constituted, you have not.

MR. RAUH. That is correct.

THE CHAIRMAN. This one has never been overruled.

MR. RAUH. Well, I have not had a chance yet, sir.

THE CHAIRMAN. I wish you bad luck, because it would be in keeping with your idea of justice if you lose the case.

MR. RAUH. If I lose, I accept the lumps along with the victories.

I did not want the last word, and I don't want the last word.

THE CHAIRMAN. You have lumps all the time.

MR. RAUH. But you looked at me as though I was ungracious in not agreeing with the Attorney General's statement. I cannot agree with it, sir, in toto, because of my general feelings toward the charter of this committee.

I am not being ungracious to you; I just am trying to protect my own integrity. I am not going to say something about the activities of this committee that I don't honestly believe, and you would not want me to.

I hope now I can stop, and you can have the last word, which is your due as chairman, sir.

The CHAIRMAN. On this note, the committee stands in recess until tomorrow at 10 o'clock.

(Whereupon, at 3:45 o'clock p.m., Thursday, July 21, 1966, the subcommittee recessed, to reconvene at 10 a.m., Friday, July 22, 1966.)

HEARINGS RELATING TO H.R. 15678, H.R. 15689, H.R. 15744, H.R. 15754, AND H.R. 16099, BILLS TO CURB TERRORIST ORGANIZATIONS

FRIDAY, JULY 22, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:10 a.m. in Room 429, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; and Del Clawson, of California.)

Subcommittee members present: Representatives Willis and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

For the purpose of these hearings, the Chair wishes the record to reflect that I have appointed and do now appoint a new subcommittee to conduct the hearings. The subcommittee is composed of myself, as chairman, and Mr. Joe Pool of Texas and Mr. Del Clawson of California.

I also want to state for the record that a quorum of that subcommittee is present; namely, myself and Mr. Clawson.

STATEMENT OF HON. DON EDWARDS, U.S. REPRESENTATIVE FROM CALIFORNIA

The CHAIRMAN. Before calling the first witness, I would like to submit to the reporter for inclusion at this point in the record a statement by our colleague, Congressman Don Edwards of California.

(Congressman Edwards' statement follows:)

STATEMENT BY CONGRESSMAN DON EDWARDS REGARDING H.R. 15678

Mr. Chairman and distinguished Members of the Committee:

I should first like to make clear my support for the basic purpose of this bill, to rid this country of the evil of organizations like the Ku Klux Klan. But I believe there are serious constitutional infirmities in your proposed legislation,

and that linking criminal acts with organizational membership is unnecessary and unwise.

Title V of the civil rights bill of 1966 effectively reaches the racial crime about which you are so rightfully concerned and it reaches those crimes whether or not the perpetrator is a member of the Ku Klux Klan. I believe that under H.R. 15678 prosecution will not only be more difficult because of the necessity of proving a clandestine organization or criminal conspiracy, but more important, the bill will not even reach the nonorganization criminal. Furthermore H.R. 15678 is dependent on the interstate commerce clause. I believe the Supreme Court made it quite clear in *United States vs. Guest* that Congress, under sec. 5 of the 14th amendment, has the power to punish private conduct interfering with rights guaranteed by the Constitution. Therefore, proof of use of facilities of commerce or the mails, is unnecessary and adds another burden to effective prosecution of the crimes we seek to make Federal violations. It is my conclusion that H.R. 15678 is substantially weaker than Title V of the civil rights bill and at the same time gravely jeopardizes legitimate rights guaranteed under the first amendment. The real problem is not solved and serious new problems are created.

In attempting to reach the criminal activities of the Klan, you have used definitions that are so broad and vague that you sweep into the category of "clandestine organization" college fraternities, for example. While I am not in favor of hazing, which is surely intimidation if not violence, I am opposed to making it a Federal crime. The CIA appears to fit the definition of a clandestine organization, as well as the Masons, the NAACP in certain States, and many other bona fide groups. The reach is so broad and so inhibitive of the right to free association and privacy that I cannot see how it can be squared to fit the constitutional requirement of a rational basis for discrimination between classes or groups.

The bill you are considering also infringes on freedom of speech with no distinction between "inciting language" and advocacy of abstract doctrine. I suppose that the debate now going on among certain civil rights advocates about whether nonviolence as a technique of political change is no longer effective would be a violation of this bill, if the debate was carried out by a civil rights organization that kept its membership secret. Sec. 407 includes "any person who * * * advocates the duty, necessity, desirability, or propriety, by the use of violence, force, intimidation, or any unlawful means, of (1) furthering or accomplishing *any* purpose, objective, or plan of any clandestine organization doing business or operating in interstate or foreign commerce * * *." It seems to me that this section proscribes advocacy in the abstract, and may even reach advocacy of such actions as economic boycott. My own view is that the most obnoxious doctrines must be allowed expression and that proscription of the speech we deplore endangers the liberties of all of us.

In Sec. 408 I fail to see any rational connection between membership in a clandestine organization and use of the telephone. If a person is to be prosecuted for using the telephone in connection with a crime, what does his membership have to do with it? Especially since the criminal act involved may or may not have anything to do with the organization. Here again I believe there is arbitrary discrimination violative of due process.

Sec. 409 outlaws oaths or pledges to conceal knowledge of offenses. It apparently outlaws membership itself and no proof of any overt act of actual concealment of an offense is necessary. Under this section, as I read it, if you pledge to conceal offenses by members of the organization, you are in violation but if you pledge generally to conceal crimes you are not. In any case, it seems to me that we have had enough of such roundabout legislation, such as requiring registration of subversives, that simply doesn't work, and we ought to concentrate not on membership in organizations, and the doctrines advocated, but on the criminal *acts* of people.

Sec. 410 makes it a crime for an officer or member to embezzle the funds of a clandestine organization. Embezzlement is already a crime in every State and why the Federal Government should, in effect, give additional protection to members of the Ku Klux Klan against their own internal embezzlers is more than I can figure out. For myself, I would not be upset if all of their assets are embezzled tomorrow and the embezzlers flee the country.

Sec. 412 authorizes injunctions against anticipated future crimes which the Attorney General believes may be committed by a criminal conspiracy, which is defined so broadly that again I believe that it is void for vagueness. It is essentially a dragnet injunction reminiscent of the days of the Palmer Raids and the suppression of labor unions. The injunctive power is an awesome weapon

and I do not believe it should be used without the most careful delineation of its scope.

My analysis of particular difficulties with the bill is not meant to be comprehensive, and I am not suggesting that the bill should be amended. I believe that the underlying basis of the bill is wrong and cannot be corrected by amendment. I would hope that every member of this committee would direct his support to the civil rights bill which will be before the House next week. Title V of that bill will be far more responsive in stopping racial crimes in our country and does not have the serious disabilities of H.R. 15678 in limiting first amendment freedoms.

RESOLUTION ADOPTED BY THE AMERICAN LEGION, DEPARTMENT OF OHIO

The CHAIRMAN. I would also like to read for the record a telegram just received from Charles William Heacock, immediate past commander of the Ohio Department of The American Legion. It is addressed to me as chairman of this committee and reads:

The American Legion of Ohio in department convention unanimously adopted on 16 July 1966 Ohio Resolution R77 urging appropriate legislation to control the activities of the Ku Klux Klan and related organizations in accordance with determination of the Committee on Un-American Activities. I respectfully request that a copy of Ohio Resolution 77 be made a part of the record of the committee's legislative hearings in that regard.

The resolution referred to is now offered for the record at this point. (The resolution follows:)

Whereas: The Committee on Un-American Activities has conducted extensive investigations and hearings concerning the Ku Klux Klan and related organizations, and,

Whereas: It is the determination of the Committee on Un-American Activities that there exists within the United States certain Ku Klux Klan organizations which in varying degree and manner engage in activities which adversely affect the General Welfare of the United States and tend to subvert constitutional processes, and,

Whereas: These organizations, though often unrelated to one another, and having different objectives or purposes, share, nonetheless, the common traits of secrecy for the purpose of intimidating, threatening, or otherwise coercing citizens of the United States to compel such citizens to do or not to do those acts which will conform with the purposes and objectives of such organizations, and,

Whereas: The Committee on Un-American Activities will, in the near future, hold public legislative hearings in regard to such organizations to obtain the recommendations of interested individuals and organizational representatives, NOW, THEREFORE, BE IT

Resolved: That The American Legion, Department of Ohio, in duly convened convention at Columbia, Ohio, this 16th day of July, 1966, urges the Congress of the United States to enact into law such appropriate legislation as may be deemed necessary to control the practices of the Ku Klux Klan and related organizations.

The CHAIRMAN. Our first witness this morning is Mr. Harry Zerbe of Lawrenceburg, Indiana, prosecutor for the Seventh Judicial Circuit of Indiana.

Mr. Zerbe, we are pleased to have you with us, sir.

Mr. ZERBE. Thank you, sir.



STATEMENT OF HARRY ZERBE, PROSECUTOR FOR THE SEVENTH JUDICIAL CIRCUIT OF INDIANA

Mr. ZERBE. I am Harry Zerbe, prosecutor for the Seventh Judicial Circuit of Indiana. My testimony will be brief. I will read you the statute under which we were able to act against the Ku Klux Klan in Indiana last November. I will give you a brief history of what happened there. I will then indicate some additions that I would like to suggest to H.R. 15678. Then if there are any questions I would be glad to try to answer them, if I can.

First of all, I will give you the history. Last November I was informed by a newspaperman in Indianapolis by phone call that the Klan had issued a news release to his paper, to the Associated Press, to the Louisville newspapers, I believe, and to the Cincinnati newspapers—we are very close to Cincinnati, about 25 miles.

The CHAIRMAN. Do you remember what the tenor of the news release was?

Mr. ZERBE. Yes, sir; I can read it to you. I have it in my application for restraining order.

The CHAIRMAN. All right.

Mr. ZERBE. The top of it read, "Rally Time, Knights of the Ku Klux Klan. Time, November 6, 1965, Saturday, 10 a.m. to 10 p.m.; November 7, 1965, Sunday, 10 a.m. to 3 p.m.":

Take Highway 50 to Highway 262. Go south on 262 to rally grounds. 40 miles west of Cincinnati, Ohio; 70 miles south of Indianapolis, Indiana; 40 miles south of Richmond, Indiana; 50 miles north of Louisville, Kentucky.

Every white Christian American is urged to attend last of your rally. It is important to have a large crowd for we will have speakers from Ohio and Georgia. The cross burning will follow speaking Saturday night. Let's have a group of men to help build the cross Saturday afternoon. There will be souvenirs, coffee and pop for sale. No alcoholic beverage, Communists, Niggers or Beatniks are allowed on the rally grounds.

That was the end of the press release.

The CHAIRMAN. Who signed it or who put it out?

Mr. ZERBE. Parkie Scott, rally organizer.

The CHAIRMAN. Where is he from?

Mr. ZERBE. Oregonia, Ohio. He is a farmer up there, I believe.

The CHAIRMAN. Do you know, did he identify himself as a Klansman?

Mr. ZERBE. No.

The CHAIRMAN. He is the one who issued the press release?

Mr. ZERBE. Yes, sir.

The CHAIRMAN. Did he name the unit that he was purporting to speak for? I will tell you why, sir. With all the protestations of pro-Americanism and anticommunism of these Klansmen, they operate under fronts—just like the Communists do—that are just as phony as a 2-foot yardstick and just as false as a \$3 bill.

Now he didn't have the guts to say what Klan or Klavern he belonged to, if he did, in that ad?

Mr. ZERBE. In that ad he did not, sir.

The CHAIRMAN. And he would not, I suppose, say it today, and that is the way they operate. They are a hit-and-run bunch of people, just hit and run.

Mr. ZERBE. He has made it a matter of record in the Federal Court for the Southern District of Indiana to identify himself as a member. He has sued me and our attorney general and two other prosecutors. He has since, but that time he did not.

The CHAIRMAN. I see. How did he identify himself, as an official? Do you know?

Mr. ZERBE. I don't believe he identified himself at the rally site.

The CHAIRMAN. Did he name who the Klansmen from Georgia would be?

Mr. ZERBE. Yes, sir, he said Reverend Hill and Mr. Venable would be there.

The CHAIRMAN. That is Mr. Venable?

Mr. ZERBE. Yes, sir.

The CHAIRMAN. Well, do you know that Brother Venable testified before our subcommittee in executive session and in public session, and it was quite interesting to see his performance.

Mr. ZERBE. I would expect so.

The CHAIRMAN. By the way, this bird Scott was also a witness before our committee, and with regard to his own Klan association he invoked the fifth amendment. As I mentioned yesterday not one witness, and we had 187 of them, had the courage or, in American slang, guts, to come and say, "I have taken an oath that I would stick by the Klan and under that oath I will not speak because I believe in klanism, I believe in keeping my word; I have given my word that I will keep matters secret."

They didn't rely on their oath; they took refuge under the good old fifth amendment that they bellyache so much about because they say only the Communists take refuge under the fifth amendment.

Let me say as far as I am concerned, as a lawyer and as a Member of Congress and as chairman of this committee, I completely respect the right of any person to invoke the privilege of the fifth amendment, be he a witness before a grand jury, a petit jury, a Communist, Klansman, or anybody else. But whereas they for years and years and years used to sneer at the Communists for operating under fronts, the Klansmen do just that. Whereas for years and years they used to say that the Communists were cowards to invoke the fifth amendment and not to speak forthrightly about Americanism, they did the same thing, 187 of them. Not a one had the guts to speak out in defense of the Klan.

I told them, every one that seemed to have an education, "Look, you have a good education, I would like for you to tell me while you are under oath what is good about klanism, I would like really to put it on record; if there is anything good about it, I would like to know about it. Please don't let this record of 4,000 pages be barren of any good being said about klanism because I know after you leave this witness stand you are going to go out"—like some folks yesterday—"and lambaste this committee and call us all kinds of names. Now while you are under oath why don't you speak out and say what is good about klanism?"

Not one of them would do it. Yesterday again we had the same kind of performance. Here we had a situation where a professor of a great university, in this Capital of our great country, the Capital of the world, almost, in terms of leadership and democratic processes, knowing that I had invited him and everybody else to come and to

testify for or against this bill, knowing all about it, yet they called a press conference and I understand that professor even went so far as to say that even if my bill had some good in it, it should not pass.

Do you know why? That is how much they hate this committee.

Before this so-called press conference yesterday, I invited the good professor: "Okay, you want to talk against this committee, this is a free country, have at it. You want to talk against this bill, this is a free country, have at it. Take the stand right now if you can stand the cross-examination."

You know he ran out like a dog with his tail between his legs, and we have not heard from him. That is the way they operate. They hit and run. Klan agitators and Klan performers, they operate in the same method.

Mr. ZERBE. Thank you, sir.

The reporter asked me what I thought about the 1947 Racketeering Against Hate Act that Indiana has applied. This was in the evening about 9 o'clock, and I told him I would have to go down to my office and see because I had not looked at it. One has very little occasion to use this particular type of legislation.

So I did. I determined after looking at it that it did apply and that I would ask for a restraining order, using this. At this time I will read the pertinent parts of the act.

It is Burns, Indiana Statutes, commencing at 10-904, this particular section defining the public policy of the State:

Protection of people—Hatred—Race, color and/or religion.—It is hereby declared to be the public policy of the state of Indiana and of this act [§§ 10-904—10-914] to protect the economic welfare, health, peace, domestic tranquillity, morals, property rights and interests of the state of Indiana and the people thereof, to protect the civil rights and liberties of the people, to effectuate the Bill of Rights, to prevent racketeering in hatred and to prohibit persons from agreeing, combining, uniting, confederating, conspiring, organizing, associating or assembling for the purpose of creating, advocating, spreading or disseminating hatred by reason of race, color or religion.

Section 10-905. This is the central section about which we operated:

Association for propagation of malicious hatred—Malicious dissemination causing or threatening to cause disorder—Both unlawful by reason of race, color or religion.—(A) It shall be unlawful for any person or persons to combine, unite, confederate, conspire, organize or associate with any other person or persons for the purpose of creating, advocating, spreading or disseminating malicious hatred by reason of race, color, or religion not prohibited by law, for or against any person, persons or group of persons, individually or collectively, not alien enemies of the United States.

(B) It shall be unlawful for any person or persons acting with malice to create, advocate, spread, or disseminate hatred for or against any person, persons or group of persons, individually or collectively, by reason of race, color or religion which threatens to, tends to, or causes riot, disorder, interference with traffic upon the streets or public highways, destruction of property, breach of peace, violence, or denial of civil or constitutional rights.

10-906. Racketeering in hatred—Penalty.—Any person violating any of the provisions of section 2 [§ 10-905] of this act shall be deemed guilty of racketeering and hatred, and upon conviction, shall be disfranchised and rendered incapable of holding any office of profit or trust for any determinate period not exceeding ten [10] years, and shall be fined in any sum not exceeding ten thousand dollars [\$10,000], to which may be added imprisonment in the state prison for any determinate period not exceeding two [2] years.

10-907. Restraint of crime on relation of prosecuting attorney or attorney-general—Contempt for violation.—Any of the acts prohibited by section 2 [§ 10-905] may be restrained and enjoined by any court having equitable jurisdiction in an action brought by the state of Indiana either on the relation of any prose-

cuting attorney of any judicial circuit or the attorney-general of Indiana. The state either on the relation of any such prosecuting attorney or the attorney-general may bring proper actions for contempt of court for the violation of any restraining order or injunction.

Just for the record, there are two more sections having to do with corporations, and so on, which I will not read in the interest of saving time. Those sections are 10-908 and 10-909.

Now this was written in 1947 right after World War II. I have not been able to discover why it was called racketeering and hatred particularly, but I do know that Indiana had felt the disgrace of the Klan as few States did because Mr. Stephenson, you will remember, was headquartered in Indianapolis and just about ran the State for a good number of years.

Also I think that after Hitler's acts of genocide against the Jewish people, perhaps the first legislature meeting after that time wanted to do something in Indiana that would protect the civil rights of colored people, Jewish people, and other minority groups.

After I determined that the act did apply in my opinion, I applied for a restraining order. I won't read that, but I will have one to put in the record, a copy of it. It was granted by Judge Baker.

The CHAIRMAN. You mean against holding of a meeting, or against what?

Mr. ZERBE. Against the holding of the meeting and using the section I read into the record there was reference of restraining orders. This was the *State of Indiana, ex rel. Harry L. Zerbe, Prosecutor of the Seventh Judicial Circuit of Indiana as plaintiff versus The Ku Klux Klan and Parkie Scott, rally organizer, as representative of the Ku Klux Klan, and Ben Davis, Dillsboro, Indiana, as representative of the Ku Klux Klan, unincorporated.*

In other words, as a lawyer you understand we had to bring a class action, and the complaint contains all of the necessary elements of a class action and all of the classical elements of an injunction action in the civil courts.

The CHAIRMAN. What happened to the action?

Mr. ZERBE. The action was eventually dismissed by me as being a moot question.

The CHAIRMAN. I see.

Mr. ZERBE. What actually happened was that the Klan took the attitude, as Mr. Scott did and Mr. Venable, that this was clearly unconstitutional; they didn't have to pay any attention to the court. My attitude was that it was constitutional until or unless an appellate tribunal said otherwise. Besides, I did have a chance to read a little bit of law and felt it was not unconstitutional. I felt it was a valid piece of legislation and within the police powers of the State. I have a one-horse operation down there, there was just me.

The CHAIRMAN. I say you are a mighty fast horse; you moved efficiently and with rapidity.

Mr. ZERBE. Thank you.

The CHAIRMAN. Congratulations.

Mr. ZERBE. They showed up, and as the plaintiff of this action I had to be there too. As my judge said, "I bet your legs grew a few feathers while you were out there," and they did. They are a rather frightening bunch of people.

They showed up about 10 o'clock in the morning and, of course, there were more newspapermen and television men and radio men there than there were Klansmen. There were a few curiosity seekers. I think maybe we had 25 people show up for this. They just gathered there, there were no speeches made. And I could not make a determination that they were meeting in violation of the law until they did something.

About 4:30 a late model Cadillac from Pennsylvania showed up with a great big character in there who came on to the rally grounds singing a filthy song to the tune of the Battle Hymn of the Republic, about s.b.'s father was a member of the NAACP and his mother was a dirty Jew. I don't remember the exact words, except it was very offensive to all of us there. He got in the trunk of his car, got out a robe and a hood and put it on. His wife and another man were with him. The wife started playing a guitar and the man started playing the drums. We determined the rally had started, and I went back to the courthouse to draw up attachment papers for contempt of court. While I was gone, and I can only figure that this was by design, Mr. Venable showed up—he is really the one I would have liked to have put in jail—and made a statement.

The CHAIRMAN. You had a profitable afternoon.

Mr. ZERBE. Yes, sir. He made a statement, which a young lady reporter from one of the Indianapolis TV stations took down on tape and I was able to hear it; that he was a lawyer and they were going to respect the order of the court and they were not going to have their rally there, they were going to leave, and he was going to tell everybody to leave because he thought since it was a valid court order here the Klan, being law-abiding people, would not do anything about it.

My own opinion of that was that had we not stuck to our guns and not stayed there and not shown a little bit of determination that they would have held their rally. We were prepared with the State police to have a tape recorder there and draw indictments under the criminal section of this had they stayed and made inflammatory speeches of any kind.

I might add that the State police did a remarkable job of keeping order. We had no disturbance at all. As a matter of fact, it was even humorous at times.

One character, they all had Confederate flags, little ones, and this fellow smoked long cigars and he didn't want to have his picture taken by the reporters there so he was walking toward them and burned a hole right in the middle of the flag with the cigar, which made quite a nice television story.

Two men were jailed for contempt of court, found guilty of contempt of court, and fined and released by the judge with the statement that he thought that they were ignorant tools of the bigger people in the Klan, which I think they were. I think had Mr. Venable gotten in jail in Dearborn County he would not have gotten out so quickly or so inexpensively.

That, in substance, is what happened using the 1947 Indiana Act. Subsequent to that time an injunction action was filed against me and the attorney general and two other prosecutors.

The CHAIRMAN. By whom?

Mr. ZERBE. By Parkie Scott, James Venable, and the National Knights of the Ku Klux Klan, a corporation. It is not a corporation in Indiana, but in Federal court I guess it does not have to be.

I am the lawyer for these other three people and Mr. Brand was a successor prosecutor to the prosecutor who took this or called the grand jury to look into Shelton's outfit up in Greenfield and no indictment was reached. Tom Roemer, the prosecutor in South Bend, where Notre Dame is, filed an affidavit. We operate by information in Indiana usually rather than by grand jury.

The indictment was quashed by a superior court, which is one of the lesser courts in Indiana, for unconstitutional vagueness. Of course that is not a binding precedent on any circuit court. At present, I think we have a good case. I am confident that we will win this, but that would be getting into something I think that is beyond the interest of this committee because it is not finished yet.

Now with reference to H.R. 15678 which Mr. McNamara sent to me, I am persuaded that it is a thoughtful presentation and one that whoever prepared it must have read the cases on this subject.

The CHAIRMAN. We have an able staff of attorneys. We have read and analyzed every State statute on the subject generally, including your own; all court, State and Federal law and higher, decisions.

We read them all and we think that despite the protestations of some groups—and that is all right with me, let them rant; like Brother Rauh yesterday, let them talk—we will get this bill out of this subcommittee unanimously. Every action since I have been chairman of this committee has been by unanimous vote. We will get it out of this subcommittee, this bill, probably next week. I don't want to pinpoint the exact time, but we will get it out to the full Committee on Un-American Activities and we will get it out of the House, we will have a record vote, and except for a handful of stragglers it will be approved during this session of Congress.

Mr. ZERBE. I have some suggestions, but I might say parenthetically that "I am with you, I am not agin you."

The CHAIRMAN. Thank you.

Mr. ZERBE. Under "Findings of Fact" I would add a number 6. That would be on page 3, about line 4. A further finding that, "There is a clear and inevitable causal relationship between the dissemination of literature and utterances, either written or spoken, which ferment hatred or tend to ferment hatred because of their race, religion, or national origins and acts of violence, threatened violence, and intimidation which effectively deprive the members of such groups of their civil rights."

I would add that.

Then under (c) of "Prohibited Acts," this would be on page 6 at line 5:

"Any person or persons who cause or conspire to cause to be published or mailed, written or printed cards, notices, news articles, letters, circulars, books, or advertisements, of any kind, disseminating malicious hatred against any individual or group of individuals by reason of the individual or group of individuals race, religion, or national origin, which gives information directly or indirectly, or when materials or orations disseminating such malicious hatred may be obtained or attended, shall be fined not more than \$5,000 or imprisoned not more than five years or both."

Then under "Injunctive Relief" I would like this to be considered.

The CHAIRMAN. It will be considered but let me say this: Section 407 of our bill makes unlawful the teaching, advising, or advocacy of the duty, necessity, desirability, or propriety by the use of violence, force, intimidation, and so on.

Now your Indiana statute that you read and your proposal to amend this bill would reach talking about in meetings, or advocacy or orating, on the subject of hate. If I would put such language in this bill, groups such as Mr. Rauh's and those who had that press conference yesterday would hang me in effigy; I know that. However, my basic position on this question is consistent with that of a gentleman who ought to have the respect of everyone in America, including those of the groups I mentioned, and his name is that spunky and courageous former President of ours, Harry Truman.

Now his committee on civil rights advised and counseled against laws seeking to curb advocacy of hate, and I agree because that would probably in their opinion, and in mine, run counter in some fashion anyway to first amendment rights. So we have deliberately not attempted to do that, but with that law coming from the Legislature of Indiana you got by with it without too much trouble or criticism.

If I would advocate it in a bill, chances are I would be hung in effigy because they have particular hate for this committee, although our functions were the subject of inquiry by a special committee of the American Bar Association which said, in one of their reports, that this committee respects in every respect the rights of witnesses appearing before the committee. And our functions and duties and our legislative endeavors as well as our investigative techniques have been upheld by every court of the land, including the Supreme Court of the United States, many times.

I refer especially to the Barenblatt decision where the Supreme Court, I forget the exact language but this is 99 per cent correct, said that this committee had pervasive jurisdiction in the field of subversive activities and upheld our procedures completely.

Now you hear so much about a sentence in one of these decisions about exposure for the sake of exposure. Let me say what that decision was all about. The Supreme Court never did hold that this committee was engaged in exposing for the sake of exposure, they never held that. You can read the decisions of the Supreme Court. If you quote any language to that effect—they spout all these allegations on the floor of the House—and I have the piece of paper that contains that language.

What the Court said was that *if* we did and *if* any committee should advocate exposure for the sake of exposure that that would be bad procedure. There is no holding that we do, anywhere.

On the contrary, they said we had pervasive jurisdiction to do exactly what we are doing and they approved it in that case.

By the way, in another famous case, *Douglas v. American Communications Association*, the Supreme Court came right out and said that conspiracy is not a civil right. We reach conspiracy in all of its forms, especially in its subversive aspects, by this committee.

But I repeat that this committee would not go as far as you suggest. I would not personally recommend, for example, that we adopt your suggestion that we put in this bill a provision to the effect that it shall be unlawful and made a Federal offense for persons to assemble and

preach and advocate hate. As cheap and as truly common as hate is, I would respect the recommendations of the Truman committee and avoid entering that field.

Now it is okay for you, let's say the legislature, to do it. I respect your right to do it. I would never recommend that this committee do it because from where I sit I could be a pretty lonely target for pot-shots from many angles if I undertook to curb the haters, as vicious and as heinous and as outrageous as I think they are.

Mr. ZERBE. Mr. Chairman, my suggestion is, for instance, that I may not stand up in a crowded theater and shout "fire." I feel—from reading the cases—I can understand how lonely a target you would be if you would adopt this.

The CHAIRMAN. I don't mind being a target.

Mr. ZERBE. The idea here, I was fired at a little bit by the Civil Liberties Union in my State and they used the term "prior restraint." I read the cases on that, and this is not a magical phrase, this may be done where the public good is involved.

The CHAIRMAN. Right.

Mr. ZERBE. And this is my opinion.

Now with reference to "Injunctive Relief," I had that tied to section (c) which was the one I proposed you would add but I will read it anyway, it is very short:

"Any person may institute a civil action seeking to enjoin any meeting advertised in violation of item 'c' of the 'Prohibited Acts' in the Federal court of the district of the designated meeting place."

I will still suggest that perhaps any person, as in a taxpayer's suit, for instance might enforce this.

The CHAIRMAN. We appreciate your suggestions.

Mr. ZERBE. All right.

Now there is one other thing I want to point out although I think whoever researched this bill probably read the cases.

This is from paragraph 5, page 13, of my brief in support of my motion to dismiss and motion to strike in the lawsuit of *Parkie Scott versus Harry Zerbe, et al.* This is a declaratory judgment action in the U.S. District Court, Indianapolis Division, Southern District of Indiana (No. 1P-66-C-242), seeking a declaratory judgment by a three-judge U.S. district court that the Indiana so-called antihate statute is unconstitutional. This suit is now pending.

The conduct plaintiffs alleged the desire to perform is to assemble peaceably. It is evident from the face of the complaint that the desire to assemble is the holding of rallies of the Ku Klux Klan. That is the activity from which they were restrained in the Dearborn Circuit Court and a complaint filed by defendant Zerbe. The Supreme Court of the United States in 1928 decided that a State may require some associations having an oath-bound membership to file a sworn copy of their constitutions, oaths of membership, and lists of members and officers while exempting labor unions and certain fraternal organizations. Not only did the Supreme Court decide that two types of associations with oath-bound members were involved and that the State could distinguish between them without denying equal potential under the fourth amendment but it took judicial notice that the Ku Klux Klan and its members were guilty of that "hard core" conduct which would be prohibited under any construction of the Indiana statute.

The CHAIRMAN. We are familiar with that.

Mr. ZERBE. That is *New York ex rel. Bryant versus Zimmerman*,

later followed by *NAACP versus Alabama ex rel. Patterson*, 357 U.S. 449, a 1958 case.

The reason I say that, I think whoever prepared your bill read that as they have some judicial notice language in there.

Now, if I may, I would like to question just one or two things and then I will be finished. I wonder what if the Klan would decide to say, "All right, we are the Ku Klux Klan and you can have our oath of membership, we will furnish it to you, you can have a list of our members and our officers."

The CHAIRMAN. Let me say this right now: We don't require that. I would be against that. I would be against this committee—and we have a wealth of information—publishing a list of known Klan members.

Mr. ZERBE. No, sir.

The CHAIRMAN. I will tell you why I am against such publishing, and we have a wealth of names of known Communist members. Let me give you two or three reasons why.

You know, sometimes it has happened to me, perhaps in my younger days but perhaps even in my older days. You might go into a certain place, you walk in, you get in there and you say, "Oh, my gosh, how in the devil did I get in this place; let me get out of here, this doesn't look good." You may not like the atmosphere. Well, you have some people, some Klan members, yes, some Communists, who walk into the lodge or into the atmosphere and they say, "Oh, what the devil did I do, how did I get involved in this thing?" They are in and then they get out.

If we would publish independently, or require by statute the publication of, all Klan members' or Communist members' names you would run against this situation. In every city of maybe 10,000 or more, you would have many people with the same name, and when you come to the cities like Los Angeles and New York and Chicago it might run into hundreds of duplicate names. For instance, my name is Ed Willis. There may be in this town another Ed Willis in that telephone book, I don't know, but I would not be surprised.

Now if we would require the publication of Klan names you would run the risk of injuring non-Klan members with the same names. That would be wrong.

Then, too, you have people who just get in and out. That would be wrong because once you have such a list, years from now some will say, "Oh, look at the official list." The sins of the father would be descended upon his sons, perhaps even to the third generation. "Look, so and so is a son of a former member of the Klan," even if it was just an indiscreet act of in-and-out, like a person entering and getting out of a certain place that he might go into and then regret that he was in there.

Then, too, what would you do about these great dedicated American citizens who, at the risk of their lives—and how serious that risk is—joined the Communist Party; and people from the South—not in my district, thank God, there are no Klansmen in my district—people in the South, let's say, who joined the Klans and who take the oath; all those who go through the ritual of being Communists and Klansmen, having an abhorrence of the ideologies and being against them as a matter of ideology, but who do it for the good of their Government as undercover agents of the FBI and perhaps even as employees or representatives of other agencies. What are you going to do, publish their names? You can't do that.

Mr. ZERBE. No, sir; that is not what I suggested.

The CHAIRMAN. No, sir; for the reasons I have stated I am against indiscriminate publication of the names of Communists as well as Klansmen, and that, by the way, is the operation and the feeling of the FBI and the CIA and all other sensible agencies of our Government.

Mr. ZERBE. That is really not what I meant. The way I read this it must be a clandestine organization and there must be a criminal conspiracy. What I was about to suggest was not that you publish anything that you have learned that might hurt somebody for all of the reasons that you stated, which I respect, but supposing the Klan or associated organizations would start operating more openly. They could voluntarily for instance send to a newspaper, "Here is a list of our members; we are not ashamed of being Klansmen, here is a copy of our oath."

The CHAIRMAN. I invited them to do it, 187 witnesses. I said a while ago, "Why don't you say something good about the Klan?" They don't have the guts to even do that and they won't do it, don't worry about that. We invited them in, and now invite them in. Despite the fact that the Communist Party pretends that they are a party, they are not the kind of party that we are as Democrats and Republicans.

If they want to be, why don't they act like a party, why don't they come out in the open and publish and make public what they belong to and what it is all about. They can't stand and don't want the mighty light of merciless publicity that a man such as a public official must be subjected to every day. We have to live in a bird cage or in a fish bowl; our lives are public, our finances, our operations, our conflicts of interest, our very thoughts are aired, but not so with them. They can't stand that.

Mr. CLAWSON. Mr. Chairman, I would like to hear his point.

The CHAIRMAN. I appreciate your idea, really.

Proceed.

Mr. ZERBE. My point is this: Supposing the Klan would do something to lose its clandestine character and still do what they are doing, have rallies and stir up malicious hatred, deprive colored people or Jewish people, or whatever, of their civil rights, all the time maintaining that, well, this is the way we feel, there is nothing clandestine about what we are doing.

The way I read it, if they are not clandestine then your bill would fail, then your punishment would fail. Isn't clandestine part of the element of the crime?

The CHAIRMAN. They say they are not but they are, and we can prove it.

Mr. ZERBE. See, I want this to work very much. It just looks to me, from reading it, that if they would operate in the open that there would not be anything here to prohibit them from saying or conspiring to do anything unless there was an actual overt act, and I think the bill ought to go further than that.

The CHAIRMAN. And say what? Not in specific language but describe it.

Mr. ZERBE. Well, then we get back to my section (c) which you think is too tough.

The CHAIRMAN. Yes.

Mr. ZERBE. I certainly think that what I have suggested is within the police powers.

The CHAIRMAN. Your section (c) you say that you punish even orating on hate, how would you prove that they believe in hate? How could you prove that they hated? How could you prove their condition in the Zimmerman case and the NAACP case later, and also because of proof than is required under my bill.

Please don't misunderstand me. I appreciate your idea.

Mr. ZERBE. All right. Now I don't think that this would be too much of a difficulty in a civil proceeding for an injunction because of the Zimmerman case and the NAACP case later, and also because of the judicial notice that the court would take of the kind of activity the Klan is guilty of.

Now, in a criminal case, this would be a question of fact for a jury—did what the man said amount to something that is going to incite riot and deprive people of their civil rights?

Now I am pretty sure from what I have read that it is constitutional. Now it might not be wise and it might just bring hell down on this committee.

The CHAIRMAN. I appreciate your suggestion.

Mr. ZERBE. This is a possibility.

The CHAIRMAN. I always like to have considered thoughts made a part of our record, and that will be very carefully considered.

Mr. ZERBE. Well, that is really all I have unless there are some more questions from anybody.

Well, if there are not let me just say in conclusion, then, that I consider it a great honor to have been asked to come here and to be allowed about 60 minutes of this busy committee's time. Thank you very much.

Mr. CLAWSON. Before you leave, may I ask one quick question. If they were operating completely in the open and the clandestine nature was eliminated, aren't there laws today on the record—state, local, or national—that perhaps would cover that kind of an activity if they were inciting to riot or violence?

Mr. ZERBE. There is in my State. I have not noted too much comparative legislation. Ohio has had this problem. Mr. Parkie Scott went over there, you know, to hold his rally after we would not let him. And the sheriff of Warren County is getting pretty fed up with this, but there is nothing he can do. Then they passed the law that said you were not allowed to go to a meeting with a hood on, which impresses me as kind of silly. I think Ohio should have gone further than that. He arrested a few, and Parkie Scott threw rocks at his car and everything else. Parkie has been charged now with interfering with an officer in the Warren County Common Pleas Court in Ohio and is to appear on September 12, which date I remember because that is my birthday; otherwise I would not.

Mr. CLAWSON. What will the kids do at the Halloween party?

Mr. ZERBE. As I said, I thought it was silly, too, Congressman, but that is what they did. I think our law, considering the fact that it was written almost 20 years ago, was an excellent job and the thoughtful kind of legislation that we have learned to expect from the Indiana Legislature. They over the years have done an excellent job.

Mr. CLAWSON. You have been able to accomplish what you thought was necessary.

Mr. ZERBE. Of course, the Klan didn't really start, you know, they were pretty well disgraced in Indiana when Mr. Stephenson went to

jail, and there was not much heard from them until I think it was the 1954 decision of the Supreme Court on desegregation of schools and this started up again. The area of Ohio and Kentucky that this particular group seems to operate, that I had my problem with, is real close by and they thought they would extend, so to speak, in Indiana. We were able to stop them.

As I say, we are in the Federal court now on whether we are right or not, and we think we are because of Zimmerman.

The CHAIRMAN. Well, we certainly appreciate your attendance.

Mr. ZERBE. Thank you.

The CHAIRMAN. We will give deep consideration to your suggestion.

Mr. ZERBE. Thank you, sir.

The CHAIRMAN. Now our next witness is Mr. Lawrence Speiser, director of the Washington office of the American Civil Liberties Union.

Mr. Speiser, we are glad to have you, sir.

STATEMENT OF LAWRENCE SPEISER, DIRECTOR FOR THE WASHINGTON OFFICE OF THE AMERICAN CIVIL LIBERTIES UNION

Mr. SPEISER. I am Lawrence Speiser, the director of the Washington office of the American Civil Liberties Union, a private nonpartisan, nonprofit organization which devotes its entire resources to the protection of the Bill of Rights.

We know that freedom cannot flourish in a society where crime and racism are unchecked. However, we are equally convinced that the Government in its efforts to rout these evils, should not use self-defeating methods which undercut constitutional rights in order to achieve a desired goal. Shortcuts taken around constitutional freedoms protected by the due process clause and other provisions of the Bill of Rights would weaken, rather than strengthen, the democratic structure which we seek to build and maintain.

PROVISIONS OF THE BILL

H.R. 15678 would add a Title IV to the Internal Security Act of 1950, to be known as the "Organizational Conspiracies Act of 1966." This bill is the result of the hearings this committee held into the Ku Klux Klan and proposes to make it a crime:

1. For any member of defined "clandestine organizations" to travel in interstate commerce or use the mails with the intent to commit or promote, manage or facilitate any crime of violence. (Sec. 404)

2. For any member or agent of such organizations to harm, kill, or obstruct or impede any person who is moving in interstate commerce. (Secs. 405, 406)

3. To teach or advocate the duty, necessity, desirability, or propriety, by the use of violence, force, intimidation or any unlawful means, the furthering of any of the purposes of any "clandestine organization" or the depriving of U.S. citizens of any constitutional or legal right. (Sec. 407)

4. To use a radio or telephone by a member of any "clandestine organization" with the intent to aid any person in the commission of, or concealment of, any offense against the United States or to prevent detection or arrest for any offense. (Sec. 408)

5. To give or take an oath or pledge by a member of a "clandestine organization" to conceal knowledge of any offense against the United States, past, present or future. (Sec. 409)

Lastly, it authorizes the Attorney General to seek an injunction against any "criminal conspiracy" when he has reasonable grounds to believe a member is engaging in or is about to engage in any unlawful act or any act of violence, intimidation, or harassment, that injures, oppresses, or punishes any citizen in the free exercise of a constitutional or lawful right.

The bill defines a "clandestine organization" as any organization which (a) conceals its name, activities, or membership, or (b) whose members are required to keep their membership secret, or (c) whose members take an oath of secrecy, and (d) whose meetings are secret or guarded against intrusion by persons not associated with the organization. (Sec. 403(4))

The bill defines "criminal conspiracy" as any organization (a) which advocates, teaches, or employs, or (b) which within the 3 years prior to the filing of an action or proceeding for injunctive relief has engaged in, or (c) whose leaders, officers or members, in furtherance of a plan of the organization, have participated in or aided, or (d) have applied resources in aid of the commission of acts of violence, intimidation or harassment, to coerce any citizen "to do or not do any act or thing or to engage in or refrain from engaging in any course of conduct to conform with any purpose, objective or plan of such organization." (Sec. 403(5))

We believe the "clandestine organization" sections violate due process in being vague and indefinite and infringe on freedom of association.

The definitions of those who come under the bill and the acts prohibited are so broad and all encompassing, that perfectly legitimate organizations and actions would be made unlawful under this bill.

The CHAIRMAN. What for instance?

Mr. SPEISER. I have specified them in here and if I may continue with my statement I will get to them, Mr. Chairman.

The CHAIRMAN. All right.

Mr. SPEISER. Statutes which are so vague and indefinite are unconstitutional because, "No one may be required at peril of life, liberty or property to speculate as to the meaning of penal statutes [A] statute which either forbids or requires the doing of an act in terms so vague that men of common intelligence must necessarily guess at its meaning and differ as to its application violates the first essential of due process of law." *Lanzetta v. New Jersey*, 306 U.S. 451 (1938) at 453.

The criteria for being an illegal "clandestine organization" are a concealed membership list, or the urging or instruction of members to conceal their membership or the taking of an oath to maintain secrecy and the holding of meetings guarded against intrusion by outsiders. (Sec. 403(4))

It should be noted that these factors are alternatives with the exception of the last, so that any one factor plus the holding of meeting which bars outsiders is sufficient.

The term "organization" is defined as any group or combination of persons "associated for joint action on any subject or subjects and includes two persons "acting in concert to perform any act."

Under these definitions, the following organizations would be considered "clandestine":

1. Democratic Study Group of House of Representatives
2. College fraternities and sororities
3. Masons
4. John Birch Society
5. Labor unions
6. NAACP. (See *NAACP v. Alabama*, 357 U.S. 449 (1958) in which the Supreme Court held the NAACP had a right to conceal its membership lists in Alabama; *Bates v. Little Rock*, 361 U.S. 516 (1960) similarly in Little Rock, Arkansas, and *Louisiana v. NAACP*, 366 U.S. 243 (1961), similarly in Louisiana.)
7. Knights of Pythias
8. C.I.A.
9. Office of Naval Intelligence
10. National Defense Agency.

This table of horrors is not farfetched because there is absolutely no requirement of illegal purposes for an organization to be encompassed within the definitions.

Section 405 covering certain acts of violence by members of such organizations merely requires that they be "acting in furtherance of or in relation to any purpose, objective or plan of such organization." That hardly is a requirement of specific intent or even general intent.

Therefore, this bill would, for example, make it a Federal crime subject to a 5-year prison sentence and/or \$5000 fine for any member of those organizations I have listed to assault any person moving in interstate commerce. (Sec. 405(d))

Section 406, it is clear, could be used against labor unions. It provides that any member of a clandestine organization "acting in furtherance of or in relation to any purpose, objective or plan of such organization wilfully by force, *intimidation* or *threat* unlawfully obstructs or impedes the free movement of any citizen in interstate commerce." Strikes do often impede the movements of people in interstate commerce.

"Intimidations" or "threats" in this bill are nowhere limited to *physical* intimidation or threats of *force or violence*. Being unlimited, they could encompass economic boycotts, including even those by groups which threaten store owners with economic ruin if they persist in selling goods made in Communist countries.

In short, this bill penalizes individuals because they are members of so-called "clandestine organizations" with heavier penalties than they would bear if they did not belong. Such a law infringes on freedom of association protected by the first amendment, since, under such a blackjack, many people will be afraid to join any organization. (See Fellman, *The Constitutional Right of Association*, 1963.)

THE PUNISHMENT OF TEACHING AND ADVOCACY IN THIS BILL VIOLATES THE FIRST AMENDMENT

Section 407 makes it a crime, subject to 10 years and/or \$10,000 fine, for any person to teach, advise, or advocate the duty, necessity, desirability or propriety by the use of violence, force, intimidation or any unlawful means, of (1) furthering any objective or plan of any clan-

destine organization in interstate commerce or (2) preventing or hindering any citizen of the United States from freely exercising or enjoying any right, liberty, privilege or immunity granted by the Constitution and laws of the United States.

I should point out in what ways this section is not limited:

(a) It is not limited to advocacy of force, but includes mere advocacy of intimidation and nonviolent unlawful means.

(b) It is not limited to incitement of immediate action but encompasses mere discussion of abstract doctrine—a form of advocacy—and, therefore, runs afoul of the line the Supreme Court has drawn between protected and unprotected speech. *Yates v. United States*, 354 U.S. 298 (1957).

The CHAIRMAN. Did you hear the colloquy that we do not intend to reach, and this bill does not reach, such things as the advocacy of hate, as reprehensible as that may be?

Mr. SPEISER. I heard part of the colloquy, Mr. Chairman, and even though that may be the intent of the chairman, unless that is spelled out, it seems to me that this bill could be applied in that fashion.

The CHAIRMAN. Have you completed your statement?

Mr. SPEISER. No.

(c) It is not limited to members of clandestine organizations, which presumably was the purpose of this bill.

(d) It is not limited to furthering only illegal plans of "clandestine organizations," but encompasses legal plans or objectives.

The following persons would be encompassed within the provisions of section 407 on the teaching of advocacy:

1. Any police officer or law enforcement official who advocates or teaches the propriety or desirability of interrogating any individual without informing him of his constitutional rights.

2. Any real estate broker who advocates the propriety or desirability of refusing to show an apartment to a Negro in violating of the proposed fair housing title of the Administration civil rights bill.

3. Any business owner who advocates or teaches the propriety or desirability of not hiring or promoting employees without regard to race in violation of Title VII of the Civil Rights Act of 1964—the Federal equal employment opportunities act.

4. It would encompass any Congressman who advocates the propriety or desirability of religious prayers in public schools.

5. It would encompass any Congressman, school official or any citizen who advocates the propriety or desirability of maintaining segregated public school systems anywhere in the United States.

We believe the Injunctive Relief section violates the due process clause and the first amendment.

Section 412 provides that the Attorney General may apply for an injunction against any "criminal conspiracy" whenever he has reasonable grounds to believe that it is engaging in or is about to engage in (1) any act which is unlawful under the laws of the United States, or (2) the commission of any act of violence, intimidation, or harassment that injures, oppresses, or punishes any citizen in the free exercise of any constitutional or legal right, liberty, privilege, or immunity.

A "criminal conspiracy" is defined in section 403(5) as *any* organization (a) which advocates, teaches, or employs or (b) which within 3 years of any proceeding against it has engaged in, or (c) whose lead-

ers have participated in, aided or encouraged, or (d) any part of its resources have been used in aid of or toward acts of violence, intimidation, or harassment for the purpose of coercing any citizen "to do or not do *any act or thing*, or to engage in or refrain from engaging in any course of conduct, to conform with *any purpose*, objective, or plan of such organization."

Here again it should be noted in what ways the definition of "criminal conspiracy" is *not* limited:

(a) It is not limited to "clandestine organizations."

(b) It is not limited to organizations which advocate or teach or commit acts of violence; it includes organizations which advocate acts of nonviolent intimidation or harassment such as strikes or economic boycotts, or sit-ins.

(c) It is not limited to organizations which take any kind of action but encompasses those which only *advocate* harassment or intimidation. Therefore, the same free speech problem arises as the one involving section 407.

The following organizations and individuals would be subject to injunctive proceedings by the Attorney General:

1. Labor unions which call any strike, since any strike is bound to "oppress" an employer in the use of his property and business.

2. Civil rights organizations which conduct sit-ins in places of public accommodation where they have been refused service.

3. Real estate brokers who harass home owners to sell their homes on the grounds that a member of a minority race has moved into an area and allegedly has depressed property values.

Injunctions against criminal acts punishable by criminal contempt are fraught with danger. They eliminate grand jury indictments, preliminary hearings, trial by jury, presumption of innocence and the burden of proof on the Government that guilt must be proven beyond a reasonable doubt.

It is true the bill does provide for jury trials in the criminal contempt cases, in other than petty offenses, (Sec. 414(a)), but that is no more than is now required by the Supreme Court, *Cheff v. Schnackenberg*, 384 U.S. 373 (1966).

The bill also contains an immunity provision (Sec. 413). The ACLU considers any immunity law as unwise and unconstitutional because we believe that the privilege against self-incrimination should also include protection against self-degradation. While the courts today might not accept this view, we believe that the past rulings of judges of various courts should still apply, that people should be protected against giving self-degrading testimony.

Our democratic system is based on the concept of fairness and decent treatment of the individual, and the full power of Government should not be brought to bear to force a person to condemn himself by his own words. The fifth amendment protection against self-incrimination is rooted in the historical struggle of men to maintain their political beliefs despite Government efforts to force confessions which would result in criminal prosecutions.

USE OF TELEPHONE TO COMMIT OR CANCEL ANY OFFENSE

Section 408 bars the use of radio, wireless, or telephone by a member of a "clandestine organization" to commit or conceal any offense against

the United States. There need not be any proof that a crime was ever committed. Yet for using the telephone a person could receive a 5-year sentence and/or \$5,000 fine. Considering the scope of the "clandestine organization" definition, it is clear this section could be misused most horrendously. "Any offense" is not even limited to felonies of violence, much less felonies. In fact, it could include the petty offense of "disorderly conduct" for which the usual fine is \$10. Yet using the phone to aid in committing this offense or concealing it could result in sending a person to jail for 5 years.

There is also question of whether this provision violates the privilege against self-incrimination or would penalize the confidential relationship between an attorney and his client. It also should be obvious that passage of this provision would spur wiretapping activities.

OATH OR PLEDGE TO CONCEAL OFFENSE

Section 409 makes it a crime for any person, in relation to the activity of a clandestine organization, to give or take an oath or pledge to conceal from lawful authority of the United States any knowledge either may have or acquire of the commission of any offense by another member of said organization.

The same objections I raised concerning section 408 would also apply here. This section would violate the privilege against self-incrimination, the attorney-client privileges, right of free speech, and the due process clause in the punishment not fitting the crime—2 years for taking an oath.

This section could be used against the following:

1. A businessman who pledges not to reveal information about a business consolidation that may violate the antitrust laws.
2. A garageman who agrees not to inform traffic authorities of safety defects in automobiles he has worked on.
3. Real estate brokers who know of discrimination in the rental or sales of homes in the District of Columbia in violation of our fair housing regulation.

CONCLUSION

In light of the focus of attention on the administration's civil rights bill H.R. 14765 which has been reported out by the House Judiciary Committee, it is difficult to see either the necessity for or the justification for this bill. Fairly bristling with constitutional defects both in concept and in draftsmanship, it should not be considered further.

The American Civil Liberties Union urges that it not be reported.

The CHAIRMAN. Would you be for our bill if there was any good in it? As the good professor said yesterday, he would not. Would you?

Mr. SPEISER. I would be for a bill that to—

The CHAIRMAN. I mean a bill by this committee.

Mr. SPEISER. Yes.

The CHAIRMAN. All right.

Mr. SPEISER. I don't believe in guilt by association, Mr. Chairman.

The CHAIRMAN. Let me say this: I don't want to quarrel with you, but it is my impression that you would really gloat over it if we did have language in this bill which would indeed affect the NAACP

and which could, in fact, affect the Democratic Study Group of the House of Representatives and the other listings you have on page 3 of your statement. I have news for you, we do not intend to do it and I intend what I am now saying to be a part of the bill's legislative history.

Now you did quote and very fairly, I appreciate it, from a description of the acts made unlawful by the bill and you wound up with a disjunctive feature. Did you hear my colloquy with the Attorney General of the United States?

Mr. SPEISER. No, I did not.

The CHAIRMAN. And with the representatives of the NAACP and the representatives of ADL to the effect that I personally would look with favor on the addition of the following clause to a section 403 (4) to the bill which would be another conjunctive in addition to another disjunctive. The clause would read, "And whose history, purpose, policies, or activities embrace the use of violence, threats, intimidation, or harassment in accomplishing any of its objectives."

Would that in any way improve your misgivings about the bill?

Mr. SPEISER. No, it would not, Mr. Chairman.

The CHAIRMAN. Well, it satisfied Emanuel Celler and there is no greater civil libertarian in this country, the chairman of the committee to which I belong, the Judiciary Committee. It satisfied the ADL representative, it satisfied Mr. Clarence Mitchell of the NAACP.

You mean to say that the addition of this language would not serve to alleviate some of your misgivings?

Mr. SPEISER. No, it would not, Mr. Chairman.

The CHAIRMAN. That is why I asked a while ago, and I ask again: Would you not feel even better if the bill were worse and did in fact and in terms of specificity seek to affect organizations such as the NAACP? Would you not gloat over it if we tried such a thing?

Mr. SPEISER. I don't think gloating has any place in the legislative process, Mr. Chairman.

The CHAIRMAN. I know it should not but I must say this, and what I am about to say I really don't want it to apply to you, but, in my opinion, inasmuch as what I have just said and the addition of this conjunctive clause did satisfy the fears of the chairman of the Judiciary Committee, the representative of ADL, and the representative of NAACP, I would say this, excluding you, that taking the position that this addition is not taken seriously as improving criticisms of the type you are leveling—I would say, please pardon me, that it takes a legal mind just about the size of a nit on the eyelash of a gnat to come to that conclusion.

Mr. SPEISER. Mr. Chairman, the bill has so many defects in it so that that would—

The CHAIRMAN. Oh, yes, I know. You claim here vagueness, lack of specificity. We have heard that from your organization from time immemorial, we expect to hear it again. Despite that, however, unlike you, sir, I would not put in this bill things that would reach the very matters that you talked about. I just said that a while ago to the previous witness. I agree with the Truman civil rights committee that this committee or this Congress should not go into the field of hate, or legislate on the right to preach hate, as heinous and reprehensible as it is, because I do not want any part of even coming close to violating



first amendment rights. I know you feel that way very deeply, and I applaud your attitude.

I wish, though, that when your association can find in its heart room to come to the rescue of the Ku Klux Klans when we investigate, as despicable as I know they are to you, if you can find room to come to their rescue and say we ought not to investigate them; if you can find room in your heart to find a place to come to the rescue of people who are brought to task, rightly or wrongly, in the field of subversion, I wish you could also find room to believe that some Members of Congress, even if they come from the South, don't want any part of passing any legislation which would reach the organizations of the type that you described on page 3 of your statement.

Mr. SPEISER. Mr. Chairman, let me be specific. If this committee had reported out Title V of the administration's civil rights bill we would have supported the legislation. You, Mr. Chairman, are on the House Judiciary Committee. And it has nothing to do with the sponsorship of the bill. The bill has the constitutional defects, I believe, I have mentioned in my testimony.

The CHAIRMAN. Well, may I say that it is my position that the civil rights bill is not an adequate anti-KKK measure. There are 16 sections in my bill, 5 of them do not figure in some comparison with the civil rights bill. These are the first three and the last two, which spell out the title, congressional findings, definitions and nonpreemption and separability of provisions sections that are more or less common to all bills.

That leaves 11 sections with which Title V must be compared to see which is the most effective anti-Klan instrument. Eight of these 11 spell out prohibited acts; namely, sections 404 to 411. Two others provide for injunctive relief and immunity, sections 412 and 413. One deals with criminal contempt, section 414.

How does Title V shape up against these 11 sections? The fact of the matter is that seven of these sections encompass matters that Title V does not touch at all, namely, sections 407 to 412 and section 414. That means there are only four sections in my bill, sections 404 to 406 and section 413 in which there is some overlapping with the Civil Rights Act.

Mr. SPEISER. But of the sections you have mentioned, Mr. Chairman, I pointed out that we are opposed to those sections. Even though you are right, they are not covered by the civil rights bill of the administration and we are opposed to them because of the constitutional reasons that I have raised. So it may be true that you are going beyond the administration's civil rights bill.

The CHAIRMAN. In my opinion my bill is broader than the civil rights bill. I illustrated that; I don't know if you heard, so I will illustrate again. In prosecutions under the Civil Rights Acts, including the bill now before the House, you need threshold proof of involvement in matters of race, religion, or national origin. You don't need that in my bill.

For instance suppose a Klansman would assault or murder a white atheist, you can't touch him under the civil rights bill. First, he does not have any religion; number two, he is a white man. And also with, let's say, an act of violence—

Mr. SPEISER. May I answer that one, Mr. Chairman?

The CHAIRMAN. Let's take a coldblooded murder. Under your bill you have to prove as a threshold question that that murder resulted or was surrounded with elements of race, color, creed, religion, or national origin; not so with my bill. Murder is murder, kidnapping is kidnapping, and a crime is a crime.

I say that my bill requires a much less burden of proof or less evidence to reach the crime than the civil rights bill and particularly with reference to KKK activities, which were the subject of as lengthy an investigation by this committee—I think you probably know at least as much, and I think you will recall this—as any other committee or group of individuals in the country.

Now I came out of these hearings with a firm conviction that the Ku Klux Klan operations and any terroristic operations are evil. And my bill is intended to provide the medicine that will cure the evil of threats and intimidation, violence, including assault, murder, and all the rest.

I think it will do the job.

Mr. SPEISER. Mr. Chairman, I am, just as you are, interested in eliminating the killings and the murder, the assaults, that have occurred by Ku Klux Klan members and by others. You have to be careful, as I am sure you are aware, that the medicine is not worse than the evil.

The CHAIRMAN. Let me agree with you. You know that people said there is no cure for cancer. Do you know that you can treat a cancer? You can inject an antiseptic so strong as to destroy not only the cancer, but the tissue. Now I don't want to apply what I know you have in mind, that is to apply something that will cut through and not only be a cure for the KKK but strike at constitutional rights. I don't want to do that. I reject that very thought.

Mr. SPEISER. I know you don't, Mr. Chairman, which is the reason I testified. This is the first time I have testified before this committee on a piece of legislation, and I took the time.

The CHAIRMAN. And I wish you could find it in your heart to say something good about one little iota of the bill.

Mr. SPEISER. Well, Mr. Chairman, you know that I think that your mandate is unconstitutional and you know that I believe the committee should not be in existence. I think you are asking me an unfair question.

The CHAIRMAN. I don't think that is unfair at all.

Mr. SPEISER. As far as you, Mr. Chairman, I have had respect for you because I have seen in hearings that you have in certain situations treated a witness fairly.

The CHAIRMAN. I appreciate that.

Mr. SPEISER. I think the whole concept of the committee is unfair. I think the kind of work the committee does is improper and unconstitutional. But as far as you, Mr. Chairman, I have seen you, with regard to clients I have represented, treat them in a fair fashion of how the committee is operating.

The CHAIRMAN. I appreciate that.

Mr. SPEISER. Let me go back to one of your initial statements about a Ku Klux Klan member killing a white atheist. I differ with you on whether Title V does cover that; it does. Atheism is covered by the atheism clause. I personally had a case before the Supreme Court.

The CHAIRMAN. Suppose they do not know he is an atheist?

Mr. SPEISER. The question is, What does the Ku Klux Klan think he is? He may have a view that a person who does not go to church is an atheist and kill him for that reason or hurt him for that reason, but as a factor that has to be proved under Title V.

Going back to your second example, it seems to me that you do have an additional problem in utilizing the criminal sections of your bill, and that is you have to prove some additional facts.

The CHAIRMAN. What?

Mr. SPEISER. Membership. You have to prove the factors of membership, the organization, what it does in each of the cases. You have to do that. You can't take judicial notice of that, that has to be proven. So you do have those additional factors to prove in a criminal case.

The CHAIRMAN. That presents no difficulty. I said a moment ago when the other witness was on the stand—and that may have surprised you but I now repeat it to you—that I would be opposed to the publication of a list of Klan members or Communist members. I would be opposed to that forever because that is the policy of this committee. It is the CIA's policy, the policy of the FBI, it is the policy of sensible security agencies, not to do that.

Mr. SPEISER. But even if you don't publish the list, the fact is—

The CHAIRMAN. Let me say this: Proving that Mr. X is a member of the Klan is no problem. Let me tell you, we do have a wealth of proof and let me tell you this, which makes the Klan even worse than I mentioned heretofore. This ought to make you believe that this committee was objective. You can't imagine the trouble we ran into in these investigative hearings, you can't imagine the innate fear and fright that has been instilled into the Klan membership deliberately so that they would keep their lips sealed. And you can't imagine the job it was to corkscrew it out of them in a constitutional way but we did.

As I said yesterday, the sweetest thing that the Attorney General said about me and the committee was that we cooperated with the Department of Justice, we respected the rights of individual witnesses, their constitutional rights as witnesses. And particularly in a perfect liaison between Katzenbach and myself as chairman did we handle with care the matter of not involving pending State and Federal criminal prosecutions in connection with these hearings: we didn't trample upon the rights of anybody. I am glad he said that. Nor did we lay the foundation for any claim of prejudice in these criminal prosecutions, which it might have been alleged we created through our public hearings. We knew about all of them: had the transcript and the indictments and the information and the benefit of all the evidence, and we were very careful to skirt that. Oh, I know. As I said, what would have happened if we hadn't.

I think perhaps some people might have wished, for instance, that I would have gone into the Penn case. Although I have the original confession in the Penn murder case, if I had gone forward and simply taken it on myself to put on the witness, then I know what would have happened. Perhaps there would have been an acquittal, and you know what would have been said. I was not born yesterday.

Some people would have wished I had been so that there could have been acquittal and they could say, "Oh, yes, Ed Willis, a southerner, he

deliberately did that in order to create prejudice and here we have another acquittal."

I was not born yesterday, I know what is in the minds of some people.

Mr. SPEISER. Mr. Chairman, let me go back to the factor of requiring proof of organizational membership in a prosecution. What you say I understand is correct. Members of the Klan are fearful of disclosing their membership unless you have an undercover agent and then his usefulness is ended, but you have an immunity provision to get around that. There was an example of how useless immunity situations were where individuals are fearful.

There was a man named Giancana in Chicago who was sent to jail because he refused to disclose information after he had been granted immunity under an immunity bill and finally he was released. The fact is that he was less fearful of going to jail with an immunity provision which stripped away the privilege against self-incrimination than he was fearful at that time of members of the Mafia. So even if you have an immunity provision, which as I indicated we are opposed to, that is still not the cure as far as getting the proof of the organizational membership, which is essential in a criminal prosecution under the act. I don't think you can minimize the difficulty you may very well have by requiring proof of organizational membership in order to have a successful prosecution plus the other objection to that kind of thing, which is that people are going to be fearful to join a wide range of organizations if they knew that they are going to be punished for a crime. They are going to have infinitely heavier penalties for what might be a simple assault in a State court which now becomes a Federal crime that is subject to 5-year imprisonment merely because they happen to be members of an organization with your very general kind of intent in there which is in relation to any purpose.

Mr. CLAWSON. Are you stating that membership in the organization comes under the purview of this bill?

Mr. SPEISER. That you have in the bill a statement of the person engaging in some course of conduct pursuant to or in relation to does not mean anything to me. I don't know what it means to the drafter of the bill but "in relation to" is not any proof of any specific or even general intent.

Mr. CLAWSON. You use the phrase, "in relation to," as applying to a member even though he may personally not engage in the activities?

Mr. SPEISER. I am not sure I understand your question, Mr. Clawson.

Mr. CLAWSON. I am trying to understand membership in the organization, because you keep talking about membership in the organization without individual participation.

Mr. SPEISER. If an individual does something, he is subject to a heavier penalty because he is a member. Now then you say, merely because he is a member? Well, you have some language which seems to indicate that the action that he takes is pursuant to an objective or plan or purpose of the organization or in relation to that. I don't know what "in relation to" means; it does not require any kind of specific intent. When you talk about a plan or a purpose, there is a wide range of organizations—nonviolent, nonsecret organizations who are very much in favor of keeping segregated schools.

For them, for an individual to go to a public meeting, for example, in which the question of desegregating schools comes up, may become so outraged that he hits somebody and all of a sudden, boom, he is under the provisions of this act.

Mr. CLAWSON. So the membership in the organization has nothing to do with it.

Mr. SPEISER. Yes; because membership then becomes a crucial factor as to whether he is subject to the act and the penalties under the act.

The CHAIRMAN. Well, I am glad you said what you just did; it clarifies things a little bit in my mind. I hope you mean it. I don't agree with you, however, in your conclusion.

By the way, you seem to applaud and you now take the cudgel in favor of persons who forthrightly advocate segregation. I thought you were opposed.

Mr. SPEISER. No, no. You misunderstand me, Mr. Chairman. I am just showing how broad this is. It could be applied to those people whose points of view I happen to disagree with.

The CHAIRMAN. Let me say that if we put fear in the Klan, if we curb the Klan, if we kill the effectiveness of the Klan, and we will, we will end most of the violence in the South, because most of the evil and danger comes from organized clandestine groups and not from individuals and I am for ruling that out.

I believe my bill does what I have in mind it will do and all I have said I want to become a part of the legislative history as to the coverage of our bill. We will have something to say in the report on the bill as to exactly what we mean and we will have some more to say on the floor of the House so that, if and when you or Mr. Rauh might attack it in the future, at least there will be no misunderstanding as to what the committee meant. If we missed the boat and miss our mark and don't in words carry out what we have in mind, I will take the blame, but at least we are trying to put in words what we have in our minds.

Sir, we do appreciate your attendance.

Mr. SPEISER. Thank you, Mr. Chairman.

The CHAIRMAN. This is our last witness and concludes the legislative hearings on the bills before us. However, the record will remain open for the submission of additional or further statements by anyone who so desires to through Monday of next week, July 25.

The committee therefore stands in recess.

(Whereupon, at 12 noon Friday, July 22, 1966, the subcommittee recessed, subject to the call of the Chair.)

STATEMENTS OF REPRESENTATIVES JOSEPH G. MINISH, OF NEW JERSEY; WILLIAM F. RYAN, OF NEW YORK; AND GEORGE F. SENNER, JR., OF ARIZONA; AND MORRIS B. ABRAM, PRESIDENT OF THE AMERICAN JEWISH COMMITTEE, AND PETE YOUNG

After the conclusion of the hearings, the following statements were submitted for inclusion in the record:

STATEMENT OF HON. JOSEPH G. MINISH, U.S. REPRESENTATIVE FROM NEW JERSEY

Mr. Chairman and Members of the Committee: I regret that hearings of the Banking and Currency Committee prevent my personally appearing in support

of H.R. 15744 and similar measures designed to punish and curb Klan-type terrorist activities.

The exhaustive hearings held by your committee gave the American people a much clearer and truer picture of this reprehensible organization than, I believe, was generally the case. Although most people have always been strongly opposed to the Klan, its organized terroristic activities were only vaguely realized until the civil rights murders and other criminal acts of the past few years. Our claim of civilization is indeed a sham when men and women are subject to the dastardly treatment that your probe so thoroughly exposed.

I fully agree with your committee that these terroristic activities must be dealt with by strong Federal action. The record so painstakingly compiled by your committee is eloquent proof of the urgent need for corrective measures. I am happy to associate myself with the committee's legislative recommendations, which are the result of long and thorough deliberation and which I feel will provide an effective deterrent to this evil.

The time is long past due to stamp out this evil and eradicate this criminal conspiracy. I respectfully urge that legislative action be taken at this session.

STATEMENT OF HON. WILLIAM F. RYAN, U.S. REPRESENTATIVE FROM NEW YORK

Mr. Chairman, I think that my principal objections to H.R. 15678 have been amply stated by some of the other witnesses who have testified before this committee, including the Attorney General, who used magnificent understatement in warning that "there are constitutional difficulties and problems with some aspects of the committee's bill."

This bill is designed to establish certain new categories of Federal criminal activity. Such legislation should properly be considered by the Judiciary Committee, which has jurisdiction over the Federal Criminal Code. The very fact that the Un-American Activities Committee is considering this legislation is, in my judgment, further evidence that the committee should not exist.

The proper forum for such a bill is the Judiciary Committee, which produced the infinitely more carefully drafted criminal provisions of the civil rights bill, H.R. 14765, which will be considered on the floor next week.

Mr. Chairman, H.R. 15678, as drafted, is impossibly vague. It forbids many activities of "clandestine organizations," but it leaves the nature of such organizations open to speculation. Any group which holds any "secret" meeting or any "meetings which are guarded or secured against intrusion by persons not associated with it" may be considered a "clandestine organization." So would any organization which "conceals * * * its * * * membership." By that definition, not only would the CIA and fraternal organizations qualify as clandestine organizations, as has been pointed out, but so would the Democratic Study Group of the House of Representatives.

Nor does the bill give any clear indication of what acts are prohibited. Most strikingly, it forbids the advocacy of any act which would further "any purpose, objective, or plan of any clandestine organization"—if "violence, force, intimidation, or any unlawful means" are used to accomplish that end. What constitutes force? What constitutes intimidation? Are economic boycotts forbidden? Is picketing illegal?

Mr. Chairman, this House should not produce legislation which is so vague that it could be used to attack a wide variety of groups for a number of activities which Congress did not intend to forbid. Such legislation might well be held unconstitutional. It would certainly be irresponsible and dangerous.

Furthermore, by punishing anyone who "teaches, advises, or advocates the duty, necessity, desirability, or propriety by the use of violence, force, intimidation, or any unlawful means, of (1) furthering or accomplishing any purpose * * * of any clandestine organization," this bill would clearly abridge the freedom of speech which is protected by the first amendment. It ignores the fundamental distinction between advocacy of abstract doctrine—which is protected under the first amendment—and the use of inciting language—which is not. This distinction was made clear in *Yates v. United States*, 354 U.S. 298 (1957).

It is also regrettable that the chairman of this committee, the author of this bill, has drafted a bill which has the "vice of vagueness" in view of his own previous provisions of H.R. 14765, the new civil rights bill. H.R. 14765 is carefully drafted and describes precisely those activities

which are to be protected by Federal law. In the minority views which he joined in presenting, it was asserted that "Title V makes criminal such undefined action as 'intimidation,' 'interference,' and 'attempts to interfere.' These provisions contain the vice of vagueness in violation of due process and may, as now worded, violate the freedom of speech guaranteed in the first amendment."

Mr. Chairman, I oppose this legislation.

STATEMENT OF HON. GEORGE F. SENNER, JR., U.S. REPRESENTATIVE
FROM ARIZONA

I very much regret that I could not be in Washington when hearings were held on these bills so that I could personally testify for them.

It is my view that H.R. 15678 should be enacted and that those who oppose enactment have missed the full picture of the situation we face and the nature and purpose of H.R. 15678.

A number of witnesses have argued that the civil rights bill of 1966 is a better vehicle for obtaining the ends desired. I do not agree. I have voted for all previous civil rights bills. I intend to vote for the civil rights bill of 1966. I am for civil rights. I believe additional civil rights legislation is needed.

As the chairman pointed out in his opening statement, however, H.R. 15678 and its companion bills are not civil rights bills. It is, therefore, a mistake to view these bills and the civil rights bill in the same light. If we do this, using civil rights as the criterion, we will find H.R. 15678 deficient. On the other hand, if we look at the 1966 civil rights bill, H.R. 14765, as an anti-Klan or antiterror organization bill—which it is not—we will find the civil rights bill deficient.

The two bills have different purposes and scope. The enactment of one, therefore, will not make unnecessary or undesirable the enactment of the other. Their provisions and intent are such that they are not mutually exclusive. I believe both should be enacted.

The principal reason why I urge enactment of H.R. 15678 is the fact that we have no Federal law aimed at clandestine organizations which undertake campaigns of terrorism and violence against American citizens because the citizens disagree with, refuse to follow, or oppose, the views of the terror group in the economic, political, social, religious, or other areas.

It is my view that such terrorist action is clearly unconstitutional and that it is, in addition, highly destructive of our democratic process and a clear threat to all the rights of all American citizens. This is true no matter what the nature of the terror group. Ramming one's views down the throats of other persons by organized campaigns of force, violence, and intimidation is incompatible with the principles of our Government and society. We need legislation which is specifically designed to outlaw such activity.

I believe that H.R. 15678 will do that.

It would be a shame in my view if, after all the effort and money that was expended in the Committee on Un-American Activities' investigation of the Klans and in view of the facts uncovered in that investigation, no legislation should be enacted to cure the specific problem pointed up in the committee's hearings and to see that neither the Klan nor any other terror group could in the future do so much violence to our principles, traditions, and way of life. The civil rights bill is not designed to do this.

A number of witnesses have claimed that the definition of clandestine organizations contained in the bill is so broad that it is possible that members of bona fide secret organizations might be prosecuted under its provisions. This is true only if one reads Section 403 in isolation, completely divorced from all other sections of the bill and its legislative history. As the Attorney General indicated in his July 20 testimony, it would be improper to do this. Section 402 of the bill makes it obvious that there is no intent to embrace within the bill's provisions any bona fide secret fraternal, civil rights or similar groups.

Nevertheless, to ease the concern that has been exhibited in this area, I believe it would be advisable for the committee to narrow the definition of clandestine organization, if this can be done without destroying the bill's effectiveness.

We must keep in mind the fact that the committee's investigation of the Klans was undertaken—and approved by the House—on the principle that Klan operations and organized terror of any kind "attacks the principle of the form of government as guaranteed by our Constitution."

It was also authorized with the understanding that when its investigation was completed the committee would recommend legislation to deal with Klan-type terror. The simple truth is that the civil rights bill of 1966 does not do this.

Though, as I have indicated, I support the civil rights bill, it is not intended to be an antiterror organization bill and it, therefore, fails to meet the problem of organized terrorism in a number of respects. The civil rights bill does not cover all forms of organized terrorism. It does not cover all possible victims of organized terrorism. It is limited in its scope to violations of nine specified rights and then, as respects those rights, it requires proof that the violation stemmed from racial, religious, or national origin motivation.

As our distinguished chairman pointed out in the hearings, there is some overlapping of crimes covered by the civil rights bill in three sections of his bill. We could debate endlessly about which of the two bills would make for easier prosecution of a violator in these areas. I see no point in doing so. In one case, H.R. 15678 might make for easier prosecution; in another case, the civil rights bill, H.R. 14765. Why not, then, have both of them available?

More important, for the reasons I have just indicated, H.R. 15678 and its companion bills, in at least half-a-dozen other areas, cover crimes which the civil rights bill does not reach at all. Obviously, we should have every possible constitutional weapon to deal with organized terrorism. In this area, the bills before the Committee on Un-American Activities give us much more than does the civil rights bill. For this reason, I hope the committee will favorably report H.R. 15678.

STATEMENT OF MORRIS B. ABRAM, PRESIDENT OF THE AMERICAN JEWISH COMMITTEE

The American Jewish Committee, a national organization with chapters and units in more than 50 cities and with membership in over 600 additional communities in the United States, was organized in 1906 and incorporated by a Special Act of the Legislature of the State of New York in 1911.

For sixty years, it has been a fundamental tenet of the American Jewish Committee that the welfare and security of Jews are inseparably linked to the welfare of all Americans, whatever their racial, religious or ethnic background may be. Today, it has become a tenet of national purpose that true equality be extended to all our citizens. None stated this national policy more clearly and emphatically than Lyndon B. Johnson, in his address at Howard University in June of last year:

"... it is not enough to open the gates of opportunity. All our citizens must have the ability to walk through these gates.

"This is the next and the more profound state of the battle for civil rights. We seek not just freedom but opportunity—not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and result."

The organizations under investigation by this committee and their predecessors have been a major source of intimidation, violence and deprivation of constitutional rights for nearly 100 years. They have openly pursued a course of criminal conduct as if they were immune from the law. And if we face squarely up to the facts, we must conclude that at least a tacit immunity has been operative. The time is long overdue that laws be enacted to control and punish these elements.

I fully recognize that, under the Constitution, the Judicial, the Executive and the Legislative branches have different and distinctive roles in the administration of justice—roles which must not be confused. The Executive cannot enforce policy, nor can the courts judge upon conduct except that their enforcement and judgment be based upon law established by the Constitution and legislation.

Much of the difficulty in controlling violence against Negroes and civil rights workers has been a result of the woeful lack of comprehensive and strictly enforced federal legislation. I therefore am most gratified that a committee of Congress is now considering this much-needed legislation to protect indisputable and indispensable American rights.

However, just as the Judicial and Executive Branches cannot function without appropriate legislation which they may not themselves enact, so too is the Congress limited to its coordinate role of legislation to the exclusion of any judicial or executive function.

As a lawyer, I am keenly aware of the absolute necessity of gathering all relevant facts as a basis for any effective legislation, and I welcome these hearings as a means of preparing for legislation. However, I must add that beyond this purpose these hearings do not, in my opinion, have any other proper and defensible function.

My statement, therefore, is not aimed at challenging anyone's rights to associations permitted by the Constitution, however objectionable those associations may be to me; not even to question anyone's beliefs or prejudices, however repugnant they may be to me, for under our system a citizen is not accountable to any branch of his government for his associations or prejudices. Nor is my purpose to create conditions of confrontation before this committee which would be to cause any man—even one whose views I despise—to commit a violation of the law. I submit this statement solely to propose legislation to deal with criminal acts—especially as they relate to victims who are active in the civil rights field.

It is my hope that through recommendations growing out of these hearings, Congress will make new laws which will give meaningful protection to citizens engaged in pursuits protected by the Constitution and set penalties for those who violate these rights.

THE PROBLEM

The problem we face is a grisly one. Basically it is this: In certain portions of our nation—particularly in the South, if you choose the right victim you can literally get away with murder, let alone arson, bombings, assault and lesser crimes.

Let me cite just a few typical recent examples:

In April, 1963, northern integrationist W. L. Moore was slain in Alabama while walking to Mississippi with a letter for Governor Ross Barnett.

On June 12, 1963, NAACP Field Secretary for Mississippi, Medgar Evers, was shot in the back by a sniper in front of his home.

In June, 1964, the three young civil rights workers, Michael Schwerner, Andrew Goodman and James Chaney, disappeared in Neshoba County, Miss. The lurid details of their brutal slaying shocked our nation and fed anti-U.S. propaganda around the world.

On July 11, 1964, Reserve Colonel L. A. Penn of Washington, D.C. was murdered while driving through Georgia on his way home from a tour of duty at Fort Benning.

On March 8, 1965, the Rev. James Reeb, having just arrived to aid the civil rights drive in Selma, Ala., was beaten to death on a city street.

On March 25, 1965, Mrs. Viola Liuzzo was shot to death after participating in the Selma to Montgomery March while driving on U.S. Highway 80.

On August 20, 1965, the Rev. Jonathan Daniels was shot to death by Tom Coleman in Lowdes County, Alabama. Mr. Coleman was acquitted.

The only sentences to grow out of these crimes were the ten-year terms given the three men found guilty of violating Mrs. Liuzzo's civil rights, and two men found guilty of violating Mr. Penn's.

Some killings in the South still take the form traditionally characterized as lynching. While recently these crimes have been few, Tuskegee Institute records 4,729 lynchings between 1882 and 1950. Of these, eight-tenths of one percent were followed by convictions.¹

The problem posed by the almost 5,000 lynchings and the recent killings is differentiated only by quantity, not by quality. All have this in common: they are acts of terror, unchecked by law enforcement authorities—in some cases even initiated or assisted by them—and this atmosphere is very much with us in 1966.

Let me turn for a moment to some other acts of terror. According to the Council of Federated Organizations (COFO) which has compiled statistics in the civil rights field, between June 21 and October 21, 1964, 35 Negro churches were burned and 31 homes and other buildings were bombed in Mississippi.

Our nation was shocked when four young Negro girls were killed by a bomb blast in a Birmingham church in September, 1963. Less newsworthy, but nevertheless significant, was the fact that this bombing was Birmingham's 21st in the last eight years—all directed at Negro churches and Negro leaders.

¹ Maslow and Robinson, "Civil Rights Legislation and the Fight for Equality 1862-1952," 20 Chicago L. Rev. 363 (1953) at p. 383.

In the light—or should I more appropriately say darkness—of these statistics and examples, it becomes abundantly clear that immediate action is imperative to protect all our people in the free exercise of their rights as citizens of the United States.

THE INADEQUACIES IN STATE ADMINISTRATION OF CRIMINAL LAW

Murder is, of course, a crime in every state. Lynching is also a crime in 18 states, including seven in the South.⁸ But in spite of existing state statutes, murder committed within the context of the civil rights struggle usually goes unpunished.

Maintenance of law and order has been basically a state responsibility since our nation was established. There is no national police force; murder is almost never a federal crime. The statistics show, however, that some states have not fulfilled their police power obligations.

Law enforcement reflects the prevailing community sentiment in the selection of police, whose duty it is to apprehend; attorneys whose duty it is to prosecute; judges who preside at trials; and juries who can make the final and irrevocable decisions not to indict and not to convict the defendant.

The effect of community feeling on law is one of the indelible memories of my childhood. When I was a youngster in Fitzgerald, Ben Hill County, Georgia, interested in becoming a lawyer, I used to go to the local courthouse to watch the trials. Outside the courthouse, and inside, I saw the symbols of equal justice chiselled in stone and etched in wood. But I was always aware—even as a child—that these fine words had very little to do with what went on in the courtroom.

The courtroom was segregated. The judge was elected by the white people only. No Negro served on any jury. Negro witnesses were referred to as "uncle" or "boy" or "girl" or "auntie," or by their first names—irrespective of their age. Never were courtesy titles used in addressing them, and racist arguments were more the rule than the exception.

There was no equal justice in that courthouse, nor was there due process of law as guaranteed by the Federal Constitution.

Is the situation much different today in many parts of the South? Not really.

The local and state police are answerable to elected officials and sheriffs, and prosecutors and judges are directly elected in most states. This system offers strong protection to the citizen, for he is also the voter. However, where minority groups are deprived of voting rights or the dominant political power enforces strong racist lines, the minority group is deprived of this protection and is at the mercy of the majority.

If the prevailing community opinion approves or even tolerates the deprivation of citizenship rights and lawlessness, the law enforcement and judicial systems must be ultimately contaminated, and certainly the jurors would be. Mr. Justice Holmes was focusing on the close ties between community sentiment and the enforcement of the criminal law when he wrote in *The Common Law* that effective criminal law must "correspond with the actual feelings and demands of the community, whether right or wrong."

In the case of civil rights violence, the feelings of the immediate community often justify or at least tolerate lawlessness. Therefore, unless the case is tried in a forum representing a more diverse community, effective criminal law enforcement is not possible in cases where racial passions are engaged. It must be remembered that while the Constitution permits the accused to demand a change of venue from a forum in which his rights could be prejudiced, it also requires that the accused "shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law. . . ." (Amendment VI, U.S. Constitution)

In a trial permeated by prejudice there cannot be hope for justice. A "speedy and public trial, by an impartial jury . . ." is a right accorded to every U.S. citizen and not a privilege. This right must be enforced and made meaningful throughout every State in our nation.

One way to meet this problem would be to extend a federal forum to aggrieved persons who have been injured, oppressed or intimidated for reasons of their race, or because they were exercising, had exercised, or were attempt-

⁸ Alabama, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, Virginia.

ing to exercise the rights and privileges secured to them by the Constitution and laws of the United States. To this end, original jurisdiction in cases of violation of civil rights—and in overt acts of criminality associated with these violations—could rest with the federal district courts. But even this would not be enough. In order to pose a viable alternative to state inaction, existing federal laws need to be enforced; present legislation must be amended where necessary to effectuate constitutional safeguards; and new legislation must be enacted in order to meet the requirements of justice in an area of federal responsibility.

THE FEDERAL COURT SYSTEM—A MORE NEUTRAL FORUM

By its very nature, the federal court system is a more neutral judicial arbiter. Neither United States attorneys, nor judges are elected or subject to removal by the community in which they serve. In addition, a federal jury is chosen from a judicial district comprising several state judicial districts, which state districts are drawn along county lines. For example: The Jackson division of the Federal Southern District of Mississippi includes eight counties of which Neshoba County is only one. Thus, a federal courtroom could not be affected to the same degree with the passion or prejudice of those within close proximity to a crime. Secondly, those coming to serve as jurors in the federal courts bring to their task an amalgam of viewpoints and experience which can serve to elevate the quality of a trial from that of a state court—particularly a provincial one.

It should be axiomatic—morally and legally—that the Federal Government protect what it grants—let alone what it encourages. At issue here, besides protection of human life, is the supremacy of national law; the meaning and guarantees of national citizenship; and the vigorous affirmation of national commitment.

Claims by United States citizens to such Federal protection were recognized as early as the Reconstruction Period, when Sections 241 and 242 of Chapter 18 of the U.S. Code were enacted.

In recent months the Supreme Court has given new vitality to these sections, while strongly suggesting that Congress make use of its power to legislate for the protection of individuals engaged in the civil rights struggle¹—powers granted to it by § 5 of the 14th Amendment itself. Although the practical effect of the decisions is minimal, the possibilities clearly opened for federal legislation in this area give promise for all those who have waited for the federal government to protect the rights which our government holds out to all citizens.

SECTION 241

Section 241 states that it shall be a crime "if two or more persons conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States. . . ."

Whereas § 241, the conspiracy section, had traditionally been thought to include only that conduct which interfered with those federal rights arising from the substantive powers of the federal government, such as the right to vote in a federal election, the Supreme Court has now revealed that § 241 reaches conspiracies to deprive any citizen of any rights or privileges secured, confirmed or guaranteed by the Constitution—or laws of the United States—including the Due Process and Equal Protection Clauses of the 14th Amendment. However salutary this may be, it does not begin to make this section adequate to the task of reaching and adequately punishing conspiracies designed to thwart U.S. citizens of the enjoyment of their rights and privileges.

The most obvious limitation on the employment of Section 241 is the requirement of the existence of a conspiracy. Conspiracies require agreements, and criminal agreements are hard to prove.

In the area of civil remedies, just as in those regarding criminal penalties, it should be made clear that there need be no proof of specific intent to deprive the plaintiff-victim of constitutional rights in order to bring about liability for clear violations of civil rights. That intent should be presumed.

Section 241 has still another lack: it provides a maximum penalty of but a \$5,000 fine or ten years imprisonment, or both. *Since murder could be and often is involved in the violation of this Section, the maximum punishment provided is ludicrous.*

¹ *U.S. v. Price et al.*, U.S. (1966) ; *U.S. v. Guest et al.*, U.S. (1966).

SECTION 242

Companion to Section 241 is Section 242 which provides:

"Whoever, under color of any law . . . subjects any inhabitant of any state . . . to the deprivation of any rights, privileges or immunities secured or protected by the Constitution or laws of the United States . . . shall be fined not more than \$1,000 or imprisoned not more than one year or both."

Whereas § 242 had traditionally been thought to cover actions of only those persons acting "under color of" law, presumably agents of the state, under the most recent Supreme Court interpretations, it is clear that where private persons join with state officials in committing proscribed acts, their actions fall within this statute.⁴ Thus, even where the necessary component of state action can be best described as minimal, or peripheral, an indictment for a violation of § 242 will stand as against private individuals. The required component of state action has been broadened therefore, to include within the ambit of § 242 those private persons who are willful participants in joint activity with the state or its agents. However, whether a conviction will lie under § 242 is still a question of intention.

The constitutional problems arising from the ambiguous definition of the crime are similar to those which pertain to Section 241. In addition, Section 242 could not be applied against a Georgia sheriff who, with the help of two assistants, beat a handcuffed Negro prisoner to death while taking him to jail, unless the jury found that the sheriff willfully attempted to deprive the victim of his constitutional rights—the right to a fair trial. Under the doctrine of the *Scresis* case, a jury, finding that the sheriff had the will merely to kill the prisoner and no desire to deprive the victim of his constitutional rights, could not convict. This doctrine still stands.

Finally, the penalty provisions of this Section are ridiculous. A man can be convicted of murder for the purpose of depriving a fellow citizen of his civil rights and receive a \$1,000 fine and/or one year in jail—the same punishment prescribed for injuring a tree on public land (18 U.S.C. § 1843).

To sum up: For all practical purposes, Federal law does not operate in this area. Those on the books are too ineffectual or ambiguous to be applied, and even if they were applied, the punishment is less than salutary. What is needed is an escalating scale of penalties to meet the nature of the crime committed, as a meaningful alternative to state and local inaction or indifference to bringing known criminals to justice.

Accordingly, the broad suggestion by the Court in its pronouncements that Congress legislate in this area must be swiftly acted upon.

A NEW APPROACH TO FEDERAL LEGISLATION

Uniformity and efficiency are not among the hallmarks of dual state-federal systems of criminal law. It is in the nature of such a system that some criminals may escape who, in a centralized state might have been apprehended and punished. On balance, however, Americans are not only satisfied with the division of police power between state and federal governments, but are determined to avoid the dangers of centralization, even if they must forego some of the efficiency of a national police. However, there can be no valid objection to the full use of the federal constitutional power to enact criminal law adequate to the protection and defense of federal rights.

Each citizen of every state is first a citizen of the United States. The Federal system is today being weakened by the helplessness of the Federal Government to deter and prosecute violence against United States citizens acting under Federal laws. The test for any extension of the Federal criminal law should be whether it is needed in order to protect federal rights. Is there any doubt that this is the case today?

There is equally no doubt that Congress has the power to correct the imperfect work of the Reconstruction Period draftsmen, and to provide punishments commensurate with the deeds. Section 5 of the Fourteenth Amendment grants to Congress the power to enforce that Amendment by appropriate legislation. That this power exists was again made manifest by the recent Supreme Court decisions in *Price* and *Guest*.

It is time that we took appropriate steps to punish criminal activities according to their nature. There can be no doubt that it lies within the power of the

⁴ *U.S. v. Guest et al.*, supra.

federal government to devise a system whereby crimes which are motivated for reasons of race, or because the victim was exercising a constitutional right, can be tried in the federal court system. At this moment crimes such as assault or even murder, are punished under federal statutes only by indirection.

It is time to face squarely the fact that the victim of these crimes is deprived of more than his freedom of speech or assembly, to give but two examples, but in some cases his very life. The criminal should be punished accordingly. We are not now talking about the common garden-variety of assault when a civil rights leader is attacked by a mob, and the time has come to recognize the palpable distinction between the two.

Why do we continue to strain to find a conspiracy or a component of state action before these offenses can come under federal cognizance? Recent decisions of the Supreme Court and a reading of Sec. 5, Amendment XIV suggest that adherence to the time-worn formulas is misplaced. If rights are to have true meaning, they must be guaranteed by the federal government to the full extent of its authority. There is not a right without a remedy, and citizens who undertake lawful activities while in fear of their lives cannot be said to enjoy the free exercise of rights.

New federal legislation should enforce the sweep of the Fourteenth Amendment by making it a federal crime to interfere with the exercise of all rights guaranteed by it. Such action is in the spirit of recent decisions of the Supreme Court in upholding the Civil Rights Act of 1964 which opened up new possibilities for federal protection of individual rights, and in vindicating the powers of the federal government to enforce Fourteenth Amendment rights.

In addition, by expanding the application of the interstate commerce power of Congress, the federal government would be capable of punishing acts of violence which impede the use of the highways by persons using them in pursuance of federally protected civil rights activities, travelling interstate, or on roads or highways constructed with federal assistance. As was broadly stated by the Supreme Court in the *Guest* case, "the federal commerce power authorizes Congress to legislate for the protection of individuals from violations of civil rights that impinge on their free movement in interstate commerce." Its suggestion should be speedily acted upon.

Moreover, by making the public employer liable for damages for the acts of its officers when they deprive persons of their civil rights, the federal government could exert pressure on the states to make certain that their officer's actions comply with constitutional requirements of due process. By stripping the governmental unit of the customary immunity flowing from sovereignty in instances where the officer acts without the scope of his authority or goes beyond his implied authority, it is to be expected that these units will exert their influence and power to insure prompt and strict compliance with constitutional standards.

Changing times require changing concepts to deal with the problems with which we are confronted. Our times require that we make explicit the rights of our citizens inherent in the concept of national citizenship, and extend those rights and federal protection to those rights of all our citizens.

As is clearly stated in the Fourteenth Amendment of the United States Constitution, Section 1., "All persons born or naturalized in the United States, and subject to jurisdiction thereof, are citizens of the United States and of the State wherein they reside." What this means, in broad terms, is that federal citizenship, and the federal system to which such citizenship attaches, is primary: citizenship of a particular state is merely derivative. Certainly it is past time that we recognized the essential nature of this citizenship and made it absolutely clear these rights include, but are not limited to:

1. The right to speak, write, assemble, petition, lawfully and peacefully march or demonstrate or otherwise publicize opinions.
2. The right to be free in one's person and property from physical and mental harm.
3. The right to form groups to discuss political issues and otherwise promote political activity on behalf of citizens of the United States.
4. The right to vote or register in any election in which public officers are to be elected or nominated, and the right to urge others to vote in such an election or to register to vote in such an election.
5. The right to use the public highways free from interference, coercion, intimidation, or injury to person or property.

6. The right to use and enjoy property, facilities, activities, or other generally extended privileges of the state or federal governments without discrimination on grounds of race, creed, color, national origin, or religion.

7. The right to testify before federal and state courts, agencies, legislative committees, grand juries and serve on juries without regard to race, color, creed or religion.

8. The right to a speedy and public trial in all criminal prosecutions; to be represented by counsel, and to have an impartial jury of one's peers.

9. The right to be protected against injury, oppression, coercion, intimidation and discrimination on the part of one who acts under color of law, statute, ordinance, regulation, or custom or usage enforced, required, established, fostered or encouraged by action of a state or any of its political subdivisions.

10. The right to be protected against injury, oppression, coercion, intimidation and discrimination on the part of one who uses the highways for racially or politically motivated ends where such action exerts a demonstrable effect on interstate commerce.

Yet another way would be to proscribe acts such as I have described when they are racially motivated. By this I mean the following: acts which were substantially motivated by hostility or objection to the race or supposed race of the victim, or to his conduct or reputed conduct because of his race, or the race of his associates, or his or their actual or reputed opinions on, or activities in racial matters.

By taking these steps, our Federal Government would do much to close the gap between constitutional guarantees of equality—political and social—and enforcement of these guarantees.

There is a federal responsibility to insure that due process prevails in the court system of every state in the Union. I do not have a ready suggestion for the means by which this right can be federally protected, but the power and responsibility certainly exist. [The only protection today is for a review of a trial itself in the federal judiciary. This is a limited type of protection, and because it frequently results in a reversal of an otherwise just decision, is one which potentially harms the state. It is a cumbersome and totally ineffective way of assuring minimum standards of due process.]

This *laissez faire* attitude toward state courts enhances lawlessness. There can be little doubt that Klan activity and mentality is encouraged by many of Southern court systems. Any person who has witnessed sessions in state courts in the South knows that their posture toward the Negro can only be justified by relegating him to citizenship in a separate nation. If the courts, presumably one of the most respected organs in a democratic society, treat Negroes as inferiors or in other discriminatory fashions, how can citizens be expected to do otherwise?

Without doubt we must expand statutory penalties for violations of civil rights within our federal court system. However, we must not, at the same time, abandon all hope for color-blind justice in those sections of our nation where its absence in state courts is flagrant and notorious. Too, if we merely turn our attention to the individual wrongdoer, and ignore the need to reform courts which have allowed him to operate criminally with relative impunity, we will be missing a vital link in ensuring all our citizens and their property against acts of violence directed or motivated against them, principally for reasons of race.

Much-needed reform, then, must also be aimed at spurring our Southern states toward maintaining court systems which truly offer equality under law for all.

For these reasons, among others, the American Jewish Committee supports the enactment of those portions of the proposed Civil Rights Act of 1966 which relate to the problem of securing equal justice under law for all citizens, with the amendments proposed thereto by Roy Wilkins on behalf of the Leadership Conference on Civil Rights, of which the American Jewish Committee is a cooperating organization.

Those suggested amendments which are relevant for the purposes of this Committee are:

1. The indemnification of all persons injured or killed due to their race or because of their efforts on behalf of civil rights;

2. The inclusion of an automatic triggering device for instituting procedures which would end jury discrimination in state courts where a pattern of discrimination is found to exist.

The bill includes, among its titles, an attempt to reform our federal criminal statutes in order to insure stronger and more effective criminal laws against those persons or organizations who would injure, coerce, or oppress persons who speak or work on behalf of the cause of racial justice. Secondly, it establishes procedures for jury selection in state and federal courts so that discrimination in them may be ended. Further, the bill aims to end civil rights violence by prohibiting interference with the exercise of constitutionally guaranteed rights by threat or force.

Titles I and II are an attempt to deal with the problems of systematic exclusion from jury service in both federal and state courts of numbers of our citizens for reasons of race, color, creed, sex or economic status. Its purpose is to insure that jurors are drawn from a broad cross-section of the community so that, among other things, persons who commit civil rights crimes will be tried by juries representative of the community in which the crime takes place.

In pursuance of this aim, there is established a jury commission for each federal judicial district, and the creation of a "master jury wheel" from which the names of prospective jurors are to be selected. Although the methods of insuring compliance differs as between Title I and II owing to traditional and constitutional limitations upon federal interference with state courts, the intent in both titles is clear—the putting to an end of discrimination in jury selection. It need not take extended inquiry to realize that if such were the case, men could not kill, injure, or terrorize their fellow citizens secure in the knowledge that like-minded, lily-white juries would acquit them.

If we are to move into an era wherein the rights of all our citizens are secure, we must insure that the administration of justice is color-blind, and that those who commit crimes for reasons of race are appropriately punished. Title V of the proposed Act, wherein constitutionally protected rights are specifically enumerated is an attempt to protect from interference all those who work or speak on behalf of the cause of civil rights—whether from private or public action. This enumeration makes clear that all our citizens are truly equal in every phase of their lives and that they are to be afforded relief from interference, intimidation, and violence by persons who would violate these rights in matters such as voting in an election, and buying a home; in attending public schools, and in serving on a jury. In other words, the generations-old patterns of white domination and Negro subservience found in many communities which has bred and nurtured the Klan mentality will now be broken.

By so doing, it utilizes Section 5 of the Fourteenth Amendment, as interpreted in the recent *Guest* decision wherein the Supreme Court stated that Congress had the power to reach purely private acts in violation of Fourteenth Amendment rights. Further it would correct the faults in Sections 241 and 242, discussed previously, which have stalled enforcement of the older civil rights statutes.

Granted, those provisions are but one step in the fight to secure equality and justice for all citizens. But they are a step in the right direction. In addition, the provisions of the proposed Civil Rights Protection Act of 1966 (H.R. 12807) promise to supplement and augment the Administration's bill. Reaching, as the bills do, overt acts of violence and intimidation as well as more overt forms of degradation, such as occur in discriminatory jury selection, there can be no doubt that if such legislation were enacted, we will have taken long strides toward eradicating the evils toward which the attention of this Committee has been drawn these long months.

Yet another approach to the eradication of Klan-type activities is contained in two identical bills introduced by members of this Committee—H.R. 15678 and H.R. 15789—introduced by Congressmen Willis and Weltner, respectively. Entitled the "Organizational Conspiracies Act of 1966," in broad outline the bills make punishable as federal crimes and prescribe varying penalties for various overt acts of violence and wrongdoing when committed by members or agents of "clandestine" organizations which are acting in furtherance of or in relation to any illicit purpose or plan of the organization or are persons who conspire with or solicit such persons, if the mails or interstate commerce are used in the commission of the crime. Included among the proscribed acts is the teaching, advising or advocacy of the use of unlawful means to prevent or hinder any U.S. citizen in the enjoyment of their constitutional rights. Further, those organizations whose members, officers or leaders employ or advocate acts of violence, intimidation or harassment, or whose resources are used in aid of such practices, among other acts, are deemed criminal conspiracies where

the object of the organization is to cause citizens to engage in or refrain from conduct which conforms with the plan, purpose, or objective of the organization.

These bills, in their attempt to curb the activities of the Klan and like-minded groups, particularly as respects the proscribing of various overt acts of violence, do not, unfortunately, conform to constitutional requirements.

As but one example, lawful organizations which hold meetings in secret or which conceal their memberships could be held liable under the provisions found in Sections 403(4) (A) and (D), and 503(4) (A) and (D) of the Willis and Weltner bills, respectively.

Further, Sections 403(5) and 503(5), respectively, fail properly to classify the proscribed objects of a criminal conspiracy so as to limit their application to those acts, the purpose of which is to prevent or hinder any citizen of the U.S. from freely exercising or enjoying any right, liberty, privilege, or immunity granted or secured to him by the Constitution and laws of the U.S.

But even if it were possible to amend the bills to insure that only such objects come within the purview of this type of legislation, there nevertheless still remain serious doubts, perhaps fatal defects, concerning the scope of these bills.

The entire experience of attempting to make the fact of a person's affiliations or his membership in a particular organization central to any effort aimed at controlling his overt actions has proved to be a most ineffectual one, as characterized by those cases dealing with the Communist Party. That experience has demonstrated abundantly that the most effective and constitutionally permissible way of proscribing particular forms of behavior by an individual or individuals deemed harmful to society is to reach those overt acts undertaken in pursuance of associational aims—without regard to the fact of association, *per se*.

This is, in fact, the scheme of the proposed Civil Rights Act of 1966. Although that bill aims to punish individual overt acts of violence and wrongdoing committed within the context of the civil rights struggle, there is no doubt that virtually all forms of concerted action will be brought within its purview. In the opinion of the American Jewish Committee, this is the constitutionally preferable manner in which to reach these acts. If one commits an act punishable by law, the fact that he did it as a member of an organization should be irrelevant for the purposes of meting out appropriate penalties.

In addition, although the American Jewish Committee is strongly of the view that these bills should be amended so as to include a qualification that the purpose of a proscribed criminal conspiracy would be the commission of acts which deny constitutional rights to others, as hereinbefore discussed, this alone would not be sufficient to insure that the nature and scope of these constitutional rights were fully understood. The best way of insuring that they are is to enumerate them specifically, as is done in Title V of the proposed Civil Rights Act of 1966. Unless this is done, a danger exists that, as has been the case in the interpretation of § 241, the scope of constitutionally protected rights will be unduly limited. Such a possibility cannot be permitted if the federal government is to fulfill its obligation to bring equality to all our citizens.

There exist, in addition, certain other defects in these bills. Sections 407 and 507 of the Willis and Weltner bills, respectively, prescribe the punishment of anyone who willfully "teaches, advises, or advocates the duty, necessity, desirability or propriety" of using "violence, force, intimidation or any unlawful means" to further "any purpose" of a "clandestine organization" or to deprive any citizens of federal rights. These sections ignore the distinction between the mere advocacy of abstract doctrine, which is protected by the First Amendment, and the use of inciting language, which is not.⁶ As such, these sections as drafted constitute an abridgement of free speech. What is more, since the definition of a "clandestine organization" is so broad, there exists a clear possibility that under these sections an organization which committed a sit-in (which may be a technical trespass), or which does not disclose its membership lists, such as the NAACP, would have committed a federal crime. (Sections 403(4) and 503(4) of the Willis and Weltner bills, respectively.)

Finally, those provisions authorizing the issuance of an injunction against any "criminal conspiracy" or its members to restrain anticipated future crimes are questionably enforceable. (Sections 412 and 512 of the Willis and Weltner bills, respectively.) Under these sections, there is substituted an injunctive

⁶ *Yates v. U.S.*, 354 U.S. 298 (1957); *Noto v. U.S.*, 367 U.S. 290 (1960).

process for criminal trials guaranteed by the Constitution, thereby subjecting those enjoined to summary proceedings for contempt of court in the event of a violation of the injunction. Those provisions, in Sections 414(a) and 515(a) respectively, providing for jury trial in the event of a *criminal* contempt cannot, in any meaningful manner, make up for the lack of a jury trial and traditional constitutional safeguards—absent in civil contempt proceedings—which will constitute the majority of cases.

Despite the good intentions of the framers of these bills, the American Jewish Committee hopes that this Committee will recommend the proposed Civil Rights Act of 1966 as an adequate and effective means of dealing with the type of overt behavior which these bills seek to reach. Even if these bills were tightened so as to conform to minimal constitutional standards, there would remain other, harmful defects: to wit, emphasis on associational ties; making a crime of teaching and advocacy; widespread use of the injunction and attendant civil contempt procedures in place of the criminal process.

For these reasons, the American Jewish Committee recommends as a sound alternative to curb civil rights crimes, the proposed Civil Rights Act of 1966 and the proposed Civil Rights Protection Act.

New federal laws governing this area alone will not bring on immediate and final conclusion to this sorry chapter in our nation's history. Statutes in and of themselves cannot, of course, eliminate bigotry and its ugly manifestations. However, they can give its victims the adequate weapons with which to redress wrongs.

Our statements of national purpose as embodied in our Constitution, the Civil Rights Acts, and the Voting Rights Act make this clearly a matter for immediate federal action. Our position as the leading practitioner and teacher of democracy in the world also demands this.

More than a century has passed since men died at the hands of their countrymen so that the stain of slavery would be lifted from our nation. We have abolished slavery, but we have yet to establish true equality. All Americans must blush for the existence of the mentality reflected in expressions by members of the Klan before this Committee.

The time has long since passed that we would be required to tolerate such racist attitudes and behavior. If, as President Johnson stated in his famed Howard University address, we are to "move beyond opportunity to achievement," to "shatter not only the barriers of law and public practice, but the walls which bound the condition of many by the color of his skin," we must begin today.

It is the hope of the American Jewish Committee that this Committee, as a result of its investigations and the testimony growing out of these hearings will see fit to recommend legislation to the Congress designed to abolish practices that are a source of national shame to us all. As was asserted so eloquently by President Johnson in his message to Congress on voting:

"... rarely in any time does an issue lay bare the secret heart of America itself. Rarely are we met with a challenge, not to our growth or abundance, or our welfare or our security, but rather to the values and the purposes and the meaning of our beloved nation. There is no Negro problem. There is no Southern problem. There is no Northern problem. There is only an American problem."

STATEMENT OF PETE YOUNG

'WITHERED TREE: DISEASED FRUIT'

Mr. Chairman, Members of this Committee: I am entitled to guess that a proposal to investigate, then outlaw Klan-type organizations was conceived in the days and weeks after the November 1964 Election. At that time (but no longer) "The Klan" was the only major American group remaining outside the artificial consensus of an increasingly disturbed President. I am entitled further to guess that in early 1965 the brutal and cowardly murder of Mrs. Viola Liuzzo provided the necessary public incident to surface the investigation-outlawry proposal that was already in gestation.

Guessing games aside, what the record does show is that on the morning after the Liuzzo murder, the President of the United States appeared on national television and gave utterance to a threat that is (I believe) without precedent in the long history of this Republic. Said the President:

"Get out of the Klan and return, now, to decent society before it is too late."

I do not recall—perhaps Members of this Committee will refresh my memory—an American President saying:

"Get out of the Mafia and return, now, to decent society before it's too late."

"Get out of the Communist Party and return, now, to decent society before it's too late."

"Get out of the Teamsters Union and return, now, to decent society before it's too late."

No, I do not recall language of that kind being directed at other groups. That kind of language was reserved for the men, women and children of "The Klan." And it was reserved for them because they are (in the main) low-income Southern whites, largely uneducated, economically exploited, officially harassed and lacking in the kind of table manners that is regarded as essential in that "decent society" of which the President spoke.

The long investigation by this Committee did indeed uncover some KKK dirt, but no attempt was made to peer into the socio-historical environment that produced these men, women and children. The nation was presented by this Committee with the spectacle of incomprehensible, robed monsters in the night, acting in a vacuum out of their own innate wickedness. In other countries, at other times, this has been called *scapegoating*—and it is a most dangerous symptom to appear now in this America.

By contrast, the McCone Commission that examined criminal violence in Watts made a reasonably respectable effort to probe for such elementary sociological data as per capita income, unemployment rate, average schooling, mass transit and recreational facilities, etc.

Because this Committee took its initial cue from a President's threat, and then went to its work with all the finesse of a bad-cop-on-the-beat, its legislative remedies inevitably partake of the same attitude.

Metaphorically, then, we may summarize a tragic chain of events:

The President planted a flawed seed, which grew into a withered tree, now bearing a diseased fruit.

My interest in this question is neither recent nor academic. Five of the seven United Klans of America leaders cited by this Committee and Congress for contempt are friends of mine. These friendships were painfully constructed on both sides in spite of almost impossible barriers of ideology and background. I do not (and will not) repudiate those friendships; and I am quite ready to maintain those friendships in a federal prison where, together, we may puzzle over the question, Whatever happened to America?

This is not idle talk. Two sections of the Weltner Bill could well be construed by a zealous U.S. Attorney as applying to me. These sections relate to "communicating or publicizing" the proscribed group's "policies, plans, or directives," or "advising, counselling, imparting suggestions" to leaders and members of the proscribed group. On both counts, I am technically guilty—and will remain so. As a newsmen, I have done considerable "communicating" or "publicizing" of Klan policies; as a private citizen, I have offered more than my share of advice, counsel and suggestions, in which I emphasized obedience to *all* law—state, federal and local. (If either the Weltner or Willis Bills are enacted, I will no longer counsel or suggest or advise obedience to all laws; I will make *one* exception.) So . . . the spectre of Leavenworth hangs over this statement, lending a certain piquant flavor to the proceedings.

As for not coming in lately to the scene of this action, let me introduce into the record excerpts from three of my statements in the past year.

1. Speech to 100 North Carolina Klan leaders, September 1965. "Guilt is personal and individual, never organizational. Organizations do not commit crimes; individuals do. Where *individual* Republicans, Methodists, Legionnaires, union members, CORE workers or Klansmen commit crimes, I favor vigorous prosecution in the courts. I *always* reject the attempt to outlaw an organization. Because I know that such an attempt can only boomerang ~~destructively~~ in the long run, while restricting the liberties of all citizens in the short run. . . . As a newsmen I am coldly objective, but as a private citizen, I am committed all the way to the end of the line to the defense of the Constitutional rights of all Americans. And on that limited, but clearly defined, front I am happy and proud to do what I can to assist 'The Klan' and its members when use police state tactics to destroy it."

2. Speech to Charles Weltner, March 4, 1966. "The *exclusively* police approach is a *disaster* for that task of reconciliation and reconciliation is the *only* way for The Same Society. Even now, we deal with the Klan primarily as criminals. The sad result is that

we have increasing numbers of these unfortunates in our midst. Of course there is an important role for good police work in society's dealings with alcoholics and drug addicts; but we made the very American mistake of vastly overemphasizing the criminal aspects of alcoholic-addict behavior . . . it is my opinion that the proposed bill, as it would apply to 'The Klan,' is both unworkable and unconstitutional; it is the former in large measure because it is the latter."

3. Foundation proposal of the Committee of Southern Churchmen, May 1965. "Are the jails of this country big enough to hold all the Kluxers? We doubt it, and we doubt also the wisdom and righteousness of a governmental policy which seeks to meet the challenge of Klan resurgence by measures which are *exclusively* police in character. No one, for example, suggests that the challenge of Negro teen-agers in Watts can be answered solely in police terms. Yet we have come to this in our dealings with the new lepers, the new outcasts, the new untouchables who rage in blind frustration behind the very real walls of their 'white ghetto.' This classic example of the scapegoat mechanism reveals more about the larger society than it does about the 'white ghetto.'"

I am not a lawyer, and I do not pretend to have any authoritative knowledge about whether the legislative proposals here being considered are Constitutional. I note only that a distinguished professor of law at Harvard University, Dr. Vern Countryman, supports my layman's view that we stand here on dangerous ground. In an article in *The Nation* (July 4, '66), he analyzes the key injunction section of the Weltner Bill thusly: "The obvious purpose here is to circumvent the Constitutional guarantees for criminal trials completely. All subject to injunction are also subject to summary procedures for contempt of court in disregarding the injunction—without the benefit of indictment by grand jury, trial by jury, presumption of innocence, and the requirement that proof of guilt be beyond reasonable doubt."

Dr. Countryman, who (like me) is neither a conservative nor a segregationist, adds:

"Like the McCarran Act, it [the Weltner Bill] would drastically abridge those freedoms of speech, belief and association which the First Amendment forbids Congress to abridge. Men and organizations are to be proscribed because they are found to 'advocate' or have as 'purposes' or 'objectives' certain activities to be carried out in the future. Departing from our Constitutional practice of punishing acts, we are to continue and expand the McCarran practice of attempting to search out potential actors by official inquiry into and strictures upon speech, belief and association, in complete disregard of the First Amendment."

Much of Dr. Countryman's analysis also applies to the Willis Bill which, in addition to taking over the injunction machinery of the Weltner Bill, solemnly enumerates a series of crimes most of which are already crimes. This raises what has always been a very critical question: Why are not the *existing* laws enforced? (I know and condemn that section of the Klan Oath which binds members to cast an acquittal vote, for most crimes, on the juries of the "alien world" when fellow Klansmen are defendants. But that sort of monkey business does not begin to cover the dereliction of plain duty indulged in by so-called "respectable" men.) A prize example of non-enforcement of *existing* laws is provided in the much-publicized case of "Mr. X." Mr. X is from Georgia; he has always been the leading suspect in the Birmingham church explosion of 1963 that killed four Negro children. Yet Mr. X has not had what he plainly deserves—his day in court. Will the passage of new legislation change this? I doubt it. It has always been against the law to kill little children, black or white, in or out of church.

When we raise this kind of awkward question, we are on our way *out* of the cow pasture to the big homes on the hill, where the South's traditional rulers have always manipulated, skillfully and cynically, the racial antagonisms between low-income whites and blacks.

I am against abandoning the Constitution in order to defend it. If we have learned anything in the 20th century—along the grisly road from Auschwitz to Hiroshima—it is that ends are related to means. Those of a totalitarian bent are wrong; the good end *never* justifies the means that are used to achieve it.

I am against a desperate reliance on the scapegoat mechanism as an answer to the American racial crisis. If every Kluxer in America went off to prison

tomorrow, that crisis would continue: there would be no alleviation in Central Harlem or Watts or Paradise Valley.

I oppose driving "The Klan" further underground; the real problem is to draw them out into a more healthy participation in that society which is also theirs, and which has for so many years excluded them.

As a constructive answer to the challenge of Klan resurgence in the white ghetto, I am FOR the kind of massive, coordinated effort by private and governmental agencies which has already poured trained personnel and "cool it" money into the black ghetto.

My somewhat complicated feelings about the men, women and children caught up in Klan resurgence are best summed up by this fragment of a Bobby Dylan lyric:

*Yonder stands your orphan with his gun,
Crying like a baby in the sun.
Look out! The Saints are coming through.
And it's all over now, Baby Blue.*

Within the context of this discussion, what is "all over" is the conventional liberal solution to the American racial crisis. As we grope for a new solution—that is decent and humane and that does not do violence to the feelings of the citizenry—it would help if this enormously powerful government would cease and desist from the persecution of masses of relatively helpless people. If there is any crime more reprehensible than the murder of an unarmed white woman or the murder of an unarmed Negro educator, it is the persecution by a government of its own people. Such a government must ultimately raise the question of its own *right* to govern.

/s/ Pete Young,
PETE YOUNG,
Greenwood Avenue,
Lawrenceville, New Jersey.

July 18, 1966.

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**ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS
IN THE UNITED STATES
PART 1**

1967

**HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-NINTH CONGRESS
FIRST SESSION**

**OCTOBER 19, 20, 21, 22, AND 25, 1965
(INDEX IN SEPARATE VOLUME)**

**Printed for the use of the
Committee on Un-American Activities**



DEPOSITED BY THE
UNITED STATES GOVERNMENT

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

Sec. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 89TH CONGRESS

House Resolution 8, January 4, 1965

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

(r) Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

18. Committee on Un-American Activities.

(a) Un-American activities.

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27. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 1

TUESDAY, OCTOBER 19, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

Under the rules of the House, the Chair is required to make an opening statement, and I now proceed to make it.

The regular members of the subcommittee are myself, as chairman, Mr. Pool of Texas, Mr. Weltner of Georgia, the ranking minority or Republican member, Mr. Ashbrook of Ohio, and Mr. Buchanan of Alabama.

We are very pleased, however, to have with us a member of the full committee, Mr. Senner. I would hope as we go along that other members of the full committee might be able to attend for as long as they desire.

Now for the opening statement.

This subcommittee of the House Committee on Un-American Activities is convened to hold hearings pursuant to a resolution unanimously adopted by the full committee on March 30, 1965. That resolution reads as follows:

WHEREAS, at the commencement of the 89th Congress the Chairman instructed the staff to commence a preliminary inquiry into the activities of the

Ku Klux Klan organizations in the United States to assist the Committee in determining whether it should authorize an investigation of the Klan organizations; and

WHEREAS, the Committee on February 2, 1965, by resolution, unanimously directed the Chairman to continue the preliminary inquiry; and

WHEREAS, the Chairman has today made a report to the Committee on the results of this preliminary inquiry, which report clearly indicates that the nature and scope of the Klan organizations' activities are such that the Committee should authorize an investigation; and

WHEREAS, the President's recent public appeal also demonstrates that such an investigation is justified and necessary; and

WHEREAS, the President has offered the full cooperation of the Executive Branch of the Government in such an investigation; now therefore,

BE IT RESOLVED, that the Committee undertake an investigation of the various Klan organizations and their activities with the view of holding hearings for the purpose of aiding Congress in any necessary remedial legislation; and

BE IT FURTHER RESOLVED, that inasmuch as the appropriation for the Committee's work for this session is not sufficient to enable it to undertake the investigation in addition to other investigations already approved and underway, the Chairman is directed to request a supplemental appropriation of \$50,000 to conduct an investigation of Ku Klux Klan organizations; and

BE IT FURTHER RESOLVED, that the Chairman is directed to continue the preliminary inquiry into the activities of the Black Muslims, the Minutemen and the American Nazi Party previously authorized by the Committee, for the purpose of determining whether an investigation of these groups is called for

As this resolution indicates, the committee's decision to undertake an investigation of Ku Klux Klan organizations in this country was made only after careful consideration and on the basis of certain information concerning Klan activities then in its possession. Last year, the committee discussed the growing activities of the Klux Klans and a suggestion was made by Mr. Pool that an investigation be considered.

Before any formal investigation is authorized by the committee it is usual to make a preliminary inquiry. The staff was, therefore, directed to do so in this instance. Other Members of Congress subsequently expressed themselves on the subject, particularly Weltner, who called the matter to the attention of our colleagues on the floor of the House.

At its organizational meeting on February 2 of this year the committee unanimously authorized the continuance of this preliminary inquiry. Thereafter, the staff reported to the committee from time to time and, on March 30, the committee voted unanimously that a formal investigation be undertaken for the purpose of holding hearings which would assist the Congress in drafting such remedial legislation as it deemed appropriate and necessary to deal with the problems created by Klan activities.

On April 14 of this year, the House of Representatives, by a vote of 312 to 43, adopted House Resolution 310, authorizing the expenditure of \$50,000 for the committee's investigation of Ku Klux Klan organizations.

What must Congress know to determine whether legislation is called for in this area and, if so, what type legislation will be effective?

It must know the objectives and purposes of the Ku Klux Klan, their structure and organizations, their affiliated organizations, the groups created or controlled by them or organized to support, and assist them. The Congress must know their constitution and bylaws, the type of activities in which they engage, how they are controlled, who their key officers are, how Klan groups are financed, and what their funds are used for. It must know whether the Klan

scribe to—and use—illegal means to achieve either declared or concealed objectives. The Congress must know whether the operations and actions directed and carried out by Klan leaders and certain members are in accord with the wishes of the membership as a whole, or whether certain activities are engaged in without the knowledge and approval of the membership. It must know whether Klan recruits are informed of the true nature and purposes of the Klans—or whether they are hoodwinked into joining them. It must also know, of course, something of the size, strength, and scope of the Klan movement. These are the matters which are the subject of this inquiry.

At the time the committee decision to conduct this inquiry was announced, certain Klan leaders stated publicly that they welcomed the investigation. Those statements were encouraging, if true. It is the committee's hope that they really meant them.

The investigative work done by the committee preparatory to these hearings, in my belief, has been thorough. It is my intention that these hearings will be fair in every respect. For this reason, Klan leaders and members will have nothing to fear or lose by cooperating fully with the committee by telling all, and everything, they know about Klan operations. They have nothing to fear or lose, that is, if they have nothing to hide—nothing to hide from the Congress, nothing to hide from the American people, and nothing to hide from the rank-and-file Klan membership.

I would point out to all witnesses summoned to testify in this inquiry that it is being conducted by a duly and lawfully constituted committee of the House of Representatives of the United States Congress, the lawmaking branch of our Government, and that the courts have held, over and over again, that every American citizen has a duty to answer all pertinent questions asked him in such an inquiry.

The Supreme Court in a 1957 decision growing out of another inquiry by this committee reiterated a fundamental principle of our Government when it stated:

The power of Congress to conduct investigations is inherent in the legislative process.

It then went on to say:

It is unquestionably the *duty* of all citizens to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action. It is their *unremitting obligation* to respond to subpoenas, to respect the dignity of the Congress and its committees and to testify fully with respect to matters within the province of proper investigation. (*U.S. v. Watkins*, 354 U.S. 178.) [Emphasis added.]

That this was not a new or novel holding by the Court is indicated by many much earlier rulings of similar nature and, for example, by a relatively recent report of a special committee of the American Bar Association which in 1953—without evoking any protest—stated that:

Every citizen, when called as a witness, has the duty to disclose any facts within his knowledge sought by a court or by a duly constituted legislative committee.

Generally, the committee recognizes only one valid reason for a witness' refusal to answer pertinent questions—the invocation of the fifth amendment, a statement by the witness that it is his belief that an honest answer to the question might lead to his being prosecuted for a criminal act.

The various Klan organizations operating in this country today proclaim that they are patriotic, 100 percent Americans, Christian, moral, and law abiding. I hope, therefore, that we will not, in the hearings, experience what we have so often seen in practically all our investigations in other areas of the committee's jurisdiction witness after witness finding it necessary, or feeling the need, to invoke the fifth amendment, again and again, when asked, not about beliefs, but about his actions.

All witnesses, as I have said—and I stress this—will have the right to make proper invocation of the fifth amendment in this inquiry. The American people, however, are not likely to look with favor upon such recourse by persons who proclaim from the rooftops that they are saviors of America and patriots second to none. The public cannot be expected to approve such action in these hearings any more than it has in other inquiries in which witnesses have taken refuge in constitutional provisions even while conspiring to destroy the Constitution.

And talking about conspiracy, I would add this point: There are various kinds of conspiracy, in addition to that which is aimed at the destruction of our Government, and all kinds are outlawed. Justice Robert H. Jackson stated in his concurring opinion in the case of *Dennis versus United States*: "The Constitution does not protect a conspiracy a civil right."

In his concurring opinion in another case, that of *American Communications Association versus Douds*, Justice Jackson pointed out that:

The conspiracy principle has traditionally been employed to protect against all "ganging up" or concerted action in violation of its laws. No case passes that this Court does not sustain convictions based on that doctrine in violations of the antitrust laws or other statutes. * * * (*A.C.A. v. ...* 339 U.S. 382.)

Conspiracy to take a man's life, to injure him, or to deny to groups of people their rights is no more protected by the Constitution than is conspiracy to destroy our Government. Conspiracy, in itself, is so inimical to ordered society that there is a broad Federal statute which makes it a crime to conspire to commit any crime against the United States. (Title 18, U.S.C., sec. 371.)

And there is a third, specific kind of conspiracy I must mention here—the secret ganging up of any group to punish or harm a person in any way because that person has, in line with his duties as a witness, testified before a congressional committee, giving the committee the kind of information the Congress must have to enact laws for the general welfare.

That kind of conspiracy, like all other forms, is outlawed. Influencing or injuring witnesses is so destructive of the American way of life, eating away at its legislative foundation, that it is a crime even when there is no conspiracy involved in it. The very act of harming, or of attempting to harm, influence, or intimidate, or of attempting to keep him from talking or of injuring or threatening a witness because he has cooperated with the Congress by giving testimony is punishable by 5 years in prison and/or a fine of \$10,000.

And I want to state for the record, here and now, that no one should better attempt to violate this law in regard to any witness subpoenaed to testify in this inquiry. If anyone does, then justice will be done.

tainly as I am sitting here today, I will do all in my power to see that the guilty party, or parties, are punished according to the law, and I know that all other members of the committee feel the same way about it because we have discussed it many times.

Being informed, as they are, of the facts developed to date in this investigation, the subcommittee members have quite naturally formed certain tentative opinions of some Klan groups and their leaders. However, we are not going to prejudge the issue. These facts have raised questions in our minds, but in any human undertaking there can be error, and it is also possible that there might be some explanation for certain of the facts we have uncovered. That is one reason why this public hearing is being held—to test the accuracy of our investigative effort and to give the persons concerned an opportunity to answer the questions that have been raised in our minds—to deny, to qualify, to confirm, to explain.

This is as it should be. Congress cannot legislate on the basis of investigation alone. It should, and must, test the results of its investigations, except when national security precludes it, in public hearings. This is what we have done in the past; it is what we will do in the future. This is in conformity with the rules of the House and with court decisions. We are engaged in the business of the people of the United States, and they have a right to be able to see and judge for themselves how that business is being conducted.

Let me remind all that this is an inquiry, not a prosecution. We are an investigating committee. We are charged with the duty of developing facts about the Klans and making them a part of a public record, not to convict anyone of anything, but for the purpose of assisting the Congress in the performance of its legislative function.

In conclusion, let me urge all witnesses summoned to testify in these hearings to testify fully and honestly, without evasion or subterfuge and without fear. This is your duty. If you truly have the national interest at heart, this is what you will do. By way of both encouragement and warning, I want to say that this is a country of law, that it is strong and secure; and that no individuals, groups, or conspiracies within its borders can, or will, prevail against its laws.

I now offer for inclusion in the record the July 19, 1965, order of appointment of the subcommittee to conduct these hearings.

That order reads as follows, that order of mine as chairman, addressed to Mr. McNamara, the director of the committee:

Pursuant to the provisions of the law and the Rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Honorable Joe R. Pool, Honorable Charles L. Weltner, Honorable John M. Ashbrook, and Honorable John H. Buchanan, Jr., as associate members, and myself, as Chairman, to conduct hearings in Washington, D.C., commencing on or about Tuesday, July 20, 1965, and/or at such other times thereafter and places as said subcommittee shall determine, as contemplated by the resolution adopted by the Committee on the 30th day of March, 1965, authorizing hearings concerning the activities of the various Ku Klux Klan organizations in the United States.

Please make this action a matter of Committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this 19th day of July, 1965.

/s/ Edwin E. Willis
EDWIN E. WILLIS

Chairman, Committee on Un-American Activities.

(At this point Representative Ichord entered the hearing room.)

The CHAIRMAN. I am pleased to announce that another member of the full committee, Mr. Ichord, of Missouri, has arrived.

If there are any members of the House present, and I recognize at least one, Mrs. Kelly of New York, it would be a pleasure to have them take a seat with us. Come on, Edna.

I don't expect any, but there cannot be demonstrations in the audience, either in approval or disapproval of the conduct of the hearings. We must maintain decorum, and that is consistent with the rules of the House.

I have already announced that under the rules of the House, even the radio and TV people are under certain limitations. They respect that. They would like to be inside, but that is the rule of the House that I am carrying out.

I will read another rule of the House after a while concerning the functions of attorneys appearing for witnesses before the committee. That is another rule of the House that will be observed and enforced.

I would like to say this preliminary to calling our first witness. In the course of these hearings, it will be necessary, because of the nature of the groups we are investigating, to make frequent use of testimony which, although familiar to the witnesses, will be completely foreign to Members of Congress, the public, and the press, on which the public must rely for information about these hearings. The committee has, therefore, decided that before the first Klan witness is called, in order to assist in better understanding of the matter, certain background information concerning the Klans, their structure, titles, and terminology should be placed in the record. For that purpose, I ask Mr. Donald T. Appell be sworn.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. APPELL. I do, sir.

TESTIMONY OF DONALD T. APPELL

The CHAIRMAN. Mr. Appell, you are the chief investigator of this committee; are you not?

Mr. APPELL. I am, sir.

The CHAIRMAN. How long have you been employed in investigative work for the committee?

Mr. APPELL. I have been with the committee since January 1947.

The CHAIRMAN. And your duties stretch as far back as the Hiss-Whittaker Chambers episode?

Mr. APPELL. That is correct.

The CHAIRMAN. Mr. Appell, you were assigned, were you, to supervise the investigative phase of the committee's inquiry into the Klans?

Mr. APPELL. Yes, sir; from the preliminary stage starting in the fall of last year, and from an active investigative phase from January of this year, sir.

The CHAIRMAN. Would you give us a brief history of the Klan movement in the United States, just enough, Mr. Appell, to provide the essential background for the hearings, the type of information that, although there are many books and treatises written on the subject, the type of background that there appears to be no dispute about?

Mr. APPELL. Yes.

The CHAIRMAN. Will you proceed to do that?

Mr. APPELL. As you said, Mr. Chairman, many books have been written on the history of the Klan movement; but, briefly, we would like to point out that the first Ku Klux Klan was formed in Pulaski, Tennessee, in December of 1865. It grew rapidly and its "dens," as the local clubs were then called, spread throughout and beyond the borders of Tennessee. In 1867 a conference attended by representatives of these dens collected together in a convention that was held in Nashville, Tennessee. A constitution was formally adopted and Confederate General Nathan Bedford Forrest was chosen the Grand Wizard, or leader, of the Ku Klux Klan.

Whatever may have been the original purpose in the formation of the first Ku Klux Klan, the organization was soon engaging in acts of violence. General Forrest officially disbanded his Ku Klux Klan in January 1869. Klan groups, however, continued to operate, and their lawlessness grew to such proportions that on March 23, 1871, President Grant sent the following message to the Congress:

A condition of affairs now exists in some of the States of the Union rendering life and property insecure, and the carrying of the mails and the collection of the revenue dangerous. The proof that such a condition of affairs exists in some localities is now before the Senate. That the power to correct these evils is beyond the control of State authorities, I do not doubt; that the power of the Executive of the United States, acting within the limits of existing laws, is sufficient for present emergencies is not clear. * * *

He also recommended that legislation be enacted, and a joint congressional committee was formed. From April to September of 1871, hearings were held relating to the lawless conduct of "The Ku-Klux [Klan] Conspiracy" in North Carolina, South Carolina, Georgia, Alabama, and Mississippi. On April 20, 1871, the President approved, and I shall quote, "An act to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes."

It has been estimated that the post-Civil War Klan attained a peak membership of about a half-million members.

The Klan was revived in 1915 by William Joseph Simmons, of Atlanta, Georgia, and in the mid-1920's achieved its all-time membership peak which has been variously estimated as between 3 million and 5 million members.

Exposés of the Knights of the Ku Klux Klan, Inc., as the first 20th century Klan was termed, were published by many newspapers in the early 1920's, and the House Rules Committee held brief hearings on it in 1921. In 1924, following widely publicized murder cases in which Klansmen were involved, the membership again began to decline.

On August 18, 1940, not long before this country's entry into World War II, Klansmen took part in a rally at the German-American Bund's Camp Nordland, in the State of New Jersey. This led to an investigation by the Special Committee on Un-American Activities, which held hearings on the Klan in 1940 and 1942.

The Klan became dormant after America's entry into World War II and was formally dissolved in 1944, when the Internal Revenue Bureau sued the Knights of the Ku Klux Klan for \$685,000 in back taxes.

Following World War II there was limited revival of the Klan, led by the formation of Dr. Samuel Green's Association of Georgia Klans in 1946. Other localized Klans sprang up in the late 1940's and early 1950's. Klan strength has definitely been on the upswing in the last few years, with some leaders talking about operations on a nationwide scale.

The CHAIRMAN. Now, Mr. Appell, during the course of the last few months you have informed the committee on a number of occasions of the fear of the Klan which you and other investigators found in certain areas while interviewing various persons in relation to this inquiry.

Would you now summarize for the record what the investigative staff observed in relation to this matter?

Mr. APPELL. This will be a very brief summary, Mr. Chairman.

The CHAIRMAN. The committee wants it that way. We are just laying the foundation for a proper understanding of the conduct of this inquiry.

Mr. APPELL. In certain areas of the South, investigators found a very real fear of the Klan existing among Klansmen themselves, Klansmen, victims of the Klan, and the general public. The investigative staff encountered this fear time after time in interrogating, trying to interrogate, sources of information. It was a major obstacle to the development of all the information we hoped to obtain—a real bar to cracking wide open the veil of secrecy that surrounds many of the operations of the "Invisible Empire," as it is called of the Ku Klux Klans.

These people fear Klan harassment in the form of threatening letters and telephone calls. They fear economic reprisals, crossings on their property, beatings, bombings, and, yes, even death. Rightly or wrongly, they blame much of the violence of this type which has taken place in the South in recent years on the Klans.

The oath taken by all Klan members, which we hope shortly will make a part of the hearing record, contains a section on secrecy which reads as follows, and this is Section II of the oath called Secret

I most solemnly swear—that I will forever—keep sacredly secret—the words and grip—and any and all other—matters and knowledge—of the Klan—and here the particular Klan is supposed to be mentioned—

regarding which a most rigid secrecy—must be maintained—which may at any time—be communicated to me—and will never—divulge same nor even the same to be divulged—to any person in the whole world—unless I know—privately—that such person is a member of this Order—in good and regular standing—and not even then—unless it be—for the best interest of this Order

In continuation:

I most sacredly vow—and most positively swear—that I will never—bribe—flattery—threats—passion—punishment—persecution—persuasion—any enticements whatever—coming from or offered by—any person or male or female—for the purpose of—obtaining from me—a secret or information—of the—

and the particular Klan is to be named—

I will die rather than divulge same—so help me God—

Also, Mr. Chairman, under a series of oaths taken, with the title of "Ishness," we find this additional oath of secrecy:

I swear that I will keep secure to myself—a secret of a [Klan]*sman—when same is committed to me—in the sacred bond of [Klan]*smanship—the crime of violating THIS solemn oath—treason against the United States of America—rape—and malicious murder—alone excepted.

Any member or former member of the Klan who reveals information about Klan activities violates this oath, except for the saving clause.

For this reason, persons who are or have been members of the Klans fear reprisals if they reveal information about Klan activities—reprisals not only against themselves, but much more, in many cases, against their families—against their wives, their children, their sisters, their brothers, even their parents and close relatives.

Some have said that they feel that they can take care of themselves, or at least are willing to risk trying to do so, but they are naturally concerned about others in their families. They have also pointed out that, after revealing what they know about the Klans, they could move to another area or State where they would be safely out of the Klans' reach. The problem, however, is that other close relatives and members of their families are not all in a position to do this, and they fear Klan vengeance on them, even though they themselves would be safe.

It is difficult for a person who has never lived in an area where certain Klans have been active to appreciate how strong and widespread this fear is.

This fear, and in some cases actual terror, which the Klans have succeeded in creating, not only makes it difficult to develop full information about the Klans, but is also a serious impediment to law enforcement and, of course, a source of Klan strength and influence.

The CHAIRMAN. Now, Mr. Appell, quite a bit has been written on the subject of Klan infiltration of law enforcement agencies. What have you and other investigators found relative to this subject?

Mr. APPELL. There is and has been some infiltration of law enforcement agencies by the Klans. The experience of the committee's investigative staff during the past 6 months, however, indicates that without question the overwhelming majority of police and law enforcement officers in the South are neither Klan members nor sympathetic to the Klans. On the whole, the committee investigators received excellent cooperation from both State and local law enforcement agencies. In most cases they did everything they could to assist us.

There have been a few instances, however, in which we deliberately avoided contacting law enforcement officers because our preliminary investigation indicated either Klan sympathy or even, in some cases, Klan membership. Mr. Chairman, I would like to point out one experience I had which, I think, illustrates this point.

Some months ago I covered a Klan rally that was held on the outskirts of a Southern town. I drove out on various roads leading from the town without being able to locate the site of the rally. I returned to the town and saw a policeman standing on the sidewalk talking to the proprietor of a local store. I stopped my car, walked over to the officer, and asked him if he could direct me to the site of the Klan rally.

He at first appeared uncertain, but then recalled the location and gave me directions. I thanked him and returned to my car. No

sooner had I shut the door than a hand came through the open window on the driver's side. Following the arm to the body, I discovered it belonged to the policeman I had left on the sidewalk and who must have run to catch up to me. I grasped his hand, thinking he wanted to introduce himself. Instead, he rotated my hand clockwise until it was in a horizontal position. Fortunately, I had done a little research and I recognized this as one of the official Klan handshakes, and rotated his hand in the opposite direction until it was parallel to the ground.

Frankly, Mr. Chairman, I didn't know what to do next, but he took me off the spot by stating that he sure would like to attend the rally but he was on duty and it was outside of his patrol area.

This experience, however, was an exception to the rule. I have already read into the record the secrecy section of the Klan oath. The wording of this oath indicates that if a law enforcement officer should join the Klan and become a dedicated member of it, placing this oath above all others, he would place himself in the position of not being able to fully discharge his duties as a law enforcement officer.

Finally, I would make these points relative to the accusation made by some that law enforcement agencies in the South have deliberately failed to solve crimes of violence which, rightly or wrongly, have been attributed to the Klans. First, Klansmen make use of citizens band radios for communication among themselves. In addition, they have equipment which enables them to intercept police radio calls. As a quick means of communication, hot rods, and being in a position to know where police patrol cars are at a given time, they can judge pretty well when and where they can commit an act of violence and have time to make a getaway.

Second, of course, there is the fear that I have already referred to. Because of this fear, a considerable period of time often elapses before the police learn that an act of violence has been committed. We have seen evidence of this—records which show that hours pass before police or sheriffs' departments receive word of the commission of a crime. This is, of course, a very real obstacle to the apprehension of guilty parties.

The CHAIRMAN. While on the subject of law enforcement and investigative agencies and their efforts to apprehend those guilty of crimes of violence, I want, at this point, to take the opportunity to pay tribute to an organization recognized by the overwhelming majority of Americans as a truly fine one. I am referring, of course, to the FBI. During the past 6 months, the committee's investigations have been reporting to me and to the committee regularly on what they have found on their field trips.

On the basis of what they have told us—and we all know the truth—agents of the FBI are doing outstanding work in areas where the Klans are operating. It is my conviction that weren't for the dedication, the outstanding and hard work of the FBI, there would have been much more Klan violence in the South than there has been in the last few years.

In this respect, as in others, the FBI on all levels merits the respect and gratitude of the American public, and I express the gratitude of this committee to the FBI. In my opinion, it is the finest investigative agency in the world.

Finally, Mr. Appell, I believe you have a number of exhibits to submit for the record concerning the Klan organizations operating

the United States, their structures and organization, terminology and related matters, including, I think, an exhibit which names key officers of the largest of the Klan groups, most of them self-identified and self-proclaimed, and all of whose identities, of course, have been confirmed by committee investigation.

The committee would be pleased to have you proceed with the introduction and identification of these exhibits,¹ in which effort I think you might want to be joined by Mr. Manuel, who has been so helpful in this investigation, and perhaps by Mr. Hitz, and Mr. Nittle, another counsel of the committee. I will have something else to say about that soon.

Mr. APPELL. Mr. Chairman, we have projected this that I am going to present on slides. The first one that we will deal with is Ku Klux Klan terminology.

(A slide of the following was shown:)

[Committee Exhibit No. 1]

Ku Klux Klan Terminology

Term	Definition
Invisible Empire.....	The overall territorial jurisdiction of a Ku Klux Klan.
Kloran.....	The official ritual book of a Ku Klux Klan organization.
Klankraft.....	Ku Klux Klan spirit and knowledge of all matters pertaining to the Ku Klux Klan.
Klectokon.....	The Klan initiation fee.
Kalendar.....	The special Klan terminology to designate days, months, and years.
Imperial Klonvokation.....	A national convention of a Ku Klux Klan organization.
Imperial Kloncilium.....	The supreme advisory and governing board of a Ku Klux Klan organization.
Realm.....	A territorial subdivision of the Invisible Empire, embracing a State.
Province.....	A territorial subdivision of a realm, embracing a congressional district.
Klorero.....	A realm (State) convention; also the realm governing and advisory board.
Klonverse.....	A convention of a province.
Klan, Klavern.....	The smallest unit (local club) of a Ku Klux Klan organization.
Klanton.....	The territorial jurisdiction of a Klan or Klavern.
Klonklave.....	Secret convention or meeting of a Klan.
Aliens.....	All persons who are not members of a Ku Klux Klan organization.
KLORANIC ORDERS	
K-UNO.....	Order of Probationary Citizenship in the Invisible Empire.
K-DUO.....	Knights of Kamellia—Primary Order of Knighthood.
K-TRIO.....	Knights of the Great Forest—Order of American Chivalry.
K-QUAD.....	Knights of the Mid-night Mystery—Superior Order of Knighthood and Spiritual Philosophies.

¹ Documents designated committee exhibits and numbered consecutively.

Mr. APPELL. We come to the Invisible Empire, which we have referred to already, which is the overall territorial jurisdiction of a Ku Klux Klan; the Kloran, the official ritual book of the Ku Klux Klan; Klankraft, Ku Klux Klan spirit and knowledge of all matters pertaining to the Ku Klux Klan; the Klektokon, the Klan initiation fee; the Kalendar, the special Klan terminology to designate days, months, and years; the Imperial Klonvokation, a national convention of a Ku Klux Klan organization; the Imperial Kloncilium, the supreme advisory and governing board of a Ku Klux Klan organization; the Realm, a territorial subdivision of the Invisible Empire embracing a State; the Province, a territorial subdivision of a realm, embracing a congressional district, with a realm having as many provinces as there are congressional districts within the State boundaries; the Klorero, a realm or State convention; also the realm governing and advisory board; the Klonverse, a convention of the province leaders.

Continuing with the terminology, Mr. Chairman, we have a Klan or Klavern. This is the smallest unit and would compare with a local club of any other national organization. The reason that we show it as a Klan or Klavern is that technically, within the constitution of a Klan organization, the unit is a Klan, but because there are many different Klans, it is popularly referred to as a Klavern.

The Klanton is the territorial jurisdiction of a Klan or Klavern.

A Klonklave is a secret convention or meeting of a Klan.

Aliens are all of us who are not members of a Ku Klux Klan.

Like other orders, they have Kloranic degrees. K-UNO is Order of Probationary Citizenship in the Invisible Empire. K-DU Knights of Kamellia, Primary Order of Knighthood. K-TR Knights of the Great Forest—Order of American Chivalry. K-QUAD, Knights of the Midnight Mystery—Superior Order of Knighthood and Spiritual Philosophies.

With respect to the fourth order, Mr. Chairman, we have had testimony from a man who has been in the Klan many years that no one has ever had to take the fourth order because it hasn't even been given yet, and if it were completed, and it is now being worked on, it would take 16 hours to confer and it would require \$40,000 worth of equipment.

We now, Mr. Chairman, will deal with the model Klan organization chart.

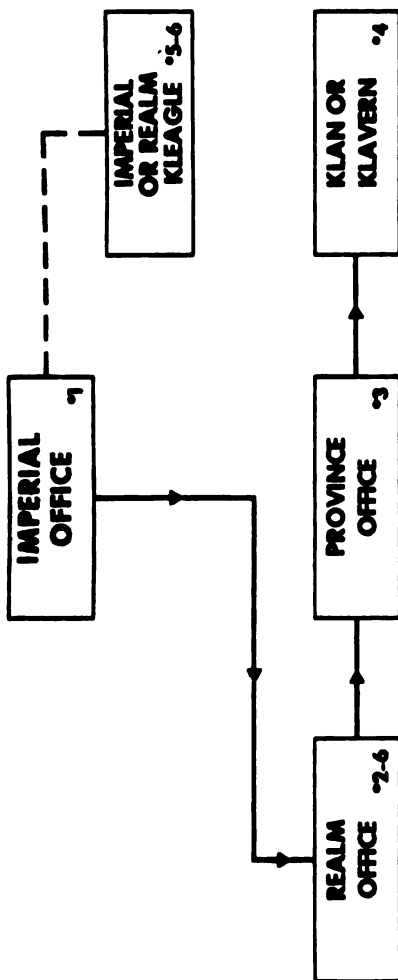
(Model Klan Organization Chart shown on slide. See Committee Exhibit No. 2, p. 1535.)

Mr. APPELL. We go from the Imperial Office. You will note four designations. This compares with national offices of a normal organization. Positions are filled by vote of delegates to Imperial Klonvokation or national convention.

From the Imperial Office we flow to the Realm Office. As you see from the footnote designation, this compares with the State designation of a national office and is not an autonomous body. Offices are filled by vote of delegates to a klorero or State convention. Each State has a sufficient number of Klaverns or members to hold positions, the offices are filled by appointments of the Imperial Office.

The next is the Province Office. And, as we note, the provinces conform to the boundaries of a congressional district and are designated as there are congressional districts in a State. Offices are filled by vote of delegates to a klonverse or district convention.

[COMMITTEE EXHIBIT No. 2]

MODEL KLAN ORGANIZATION CHART

*1 Compares with National Offices - positions filled by vote of delegates, to Imperial Klanslation or National Convention.

*2 Compares with State division of National Office - is not autonomous body. Offices filled by vote of delegates to a Klavern or State Convention.

*3 Provinces conform to the boundaries of a Congressional District. Provinces are as many as Congressional Districts assigned a given state. Offices filled by vote of delegates to Klaverns or District Convention.

*4 Compares with a club of a National or State organization. Offices filled by election of club membership.

*5 Organizer appointed by Imperial Wizard or Grand Dragon - receives portion of Klanslation or initiation fee paid by new member until Klavern has 25 members.

*6 Realm officers and Kleagles are appointed by the Imperial Wizard until membership has grown to strength sufficient to hold elections.

Then we come to the smallest order of the Klan or Klavern, which is in footnote 4, which compares with a club of a national or state organization, with offices filled by election of club membership. As a service function out of the office of the Imperial Wizard, and sometimes out of the office of the realm leader or Grand Dragon, these men are appointed by either the Imperial Wizard, who also is the Supreme Kleagle or organizer for the organization.

We now deal with the Imperial (National) Offices, and the number and titles given to these.

We have attempted to make an analogy between the office as it would relate to a national organization that we all might be familiar with (Chart of Imperial (National) Offices shown on slide. See Committee Exhibit No. 3, p. 1537.)

Mr. APPELL. The Imperial Wizard is the national president, the supreme chief executive officer, the Supreme Kleagle or organizer.

Then we have the Imperial Klaliff, who would compare with national vice president; the Imperial Klokard, the national director of propaganda; the Imperial Kludd, the national chaplain; the Imperial Kligrapp, the national secretary; the Imperial Klabee, the national treasurer; the Imperial Kladd, the national secretary of the president; the Imperial Klarogo, the national inner guard of conventions or national executive board meetings; the Imperial Klexter, the national outer guard of conventions or national executive board meetings; the Imperial Klonsel, the national legal advisor; the Imperial Night-Hawk, the national auditor and chairman of 3- to 5-member audit and advisory committee.

All of these together are known as the Imperial Wizard and Genii.

We next pass to the realm, Mr. Chairman.

(Chart of Realm (State) Offices shown on slide. See Committee Exhibit No. 4, p. 1538.)

Mr. APPELL. Here we find that these men, after they are of sufficient strength, are elected at a State klorero, or convention, by delegates from Klans or Klaverns. I will point out in this that the top of a realm is known by the title of Grand Dragon.

I will remove this in order to show that the other offices are the same, but preceding the office on a State level they are referred to as Grand Klaliff, grand klokard, grand et cetera.

I wish to point out that this body of men is known as the Council of the Dragon and his Hydras.

We next go to the subdivision within the State, or the province, the district offices.

(Chart of Province (District) Offices shown on slide. See Committee Exhibit No. 5, p. 1539.)

Mr. APPELL. The great titan is the highest officer of a province and could be considered its president.

There are three great klaliffs that operate as an advisory committee: the great kligrapp or secretary, the great klabee or treasurer,

IMPERIAL (NATIONAL) OFFICES

IMPERIAL WIZARD——NATIONAL PRESIDENT
SUPREME CHIEF EXECUTIVE OFFICER
SUPREME KLEAGLE OR ORGANIZER

IMPERIAL KLALIFF——NATIONAL VICE PRESIDENT

IMPERIAL KLOKARD——NATIONAL DIRECTOR OF PROPAGANDA

IMPERIAL KLUDD——NATIONAL CHAPLAIN

IMPERIAL KLIGRAPP——NATIONAL SECRETARY

IMPERIAL KLABEE——NATIONAL TREASURER

IMPERIAL KLADD——NATIONAL SECRETARY TO THE PRESIDENT

IMPERIAL KLAROGO——NATIONAL INNER GUARD OF CONVENTIONS
OR NATIONAL EXECUTIVE BOARD MEETINGS

IMPERIAL KLEXTER——NATIONAL OUTER GUARD OF CONVENTIONS
OR NATIONAL EXECUTIVE BOARD MEETINGS

IMPERIAL KLONSEL——NATIONAL LEGAL ADVISOR

IMPERIAL NIGHT-HAWK——NATIONAL AUDITOR AND CHAIRMAN OF
3-5 MEMBERS OF AUDIT AND ADVISORY
COMMITTEE

IMPERIAL
WIZARD
AND HIS GENII



[COMMITTEE EXHIBIT No. 4]

REALM (STATE) OFFICES

ELECTED AT STATE KLOREO OR CONVENTION BY
DELEGATES FROM KLANS OR KLAVERNS (CLUBS)

GRAND DRAGON . . . PRESIDENT OF KLOREO

GRAND KLALIFF . . . VICE PRESIDENT

GRAND KLOKARD . . . LECTURER

GRAND KLUDD . . . CHAPLAIN

GRAND KLIGRAPP . . . SECRETARY

GRAND KLABEE . . . TREASURER

GRAND KLADD . . . CONDUCTOR OF CEREMONIES

GRAND KLAROGO . . . INNER GUARD

GRAND KLEXTER . . . OUTER GUARD

GRAND NIGHT LAWK . . . AUDITOR

GRAND
DRAGON
AND HIS
HYDRAS

PROVINCE (DISTRICT) OFFICES

GREAT TITAN _____ HIGHEST OFFICER OF A
PROVINCE AND PRESIDENT
OF THE KLONVERSE

3 GREAT KLALIFFS _____ ADVISORY BOARD

GREAT KLIGRAPP _____ SECRETARY

GREAT KLABEE _____ TREASURER

GREAT KLUDD _____ CHAPLAIN

GREAT NIGHT-HAWK _____ AUDITOR

GREAT TITAN
AND
HIS FURIES

great kludd or chaplain; and this body is known as the great titan and his furies.

Here we come to the Klan or Klavern, the club offices.

(Chart of the Klan-Klavern (Club) Offices shown on slide. See Committee Exhibit No. 6, p. 1541.)

Mr. APPELL. Here the top man is the exalted cyclops. The men under him hold the same titles. However, as you will note, they are not preceded by the word of either "Grand" or "Imperial" and this body is known as the exalted cyclops and his terrors.

Mr. Chairman, I would like to deal with a graph of the United Klans of America.

(Chart of United Klans of America, Inc., shown on slide. See Committee Exhibit No. 7, p. 1542.)

Mr. APPELL. I would like to, with your permission, state that basically this organization grows out of an organization formed in 1955 known as the U.S. Klans. Following the death of its leader, Eldon Edwards, in 1960, it split with a great bulk of its leadership creating an organization which is known as the Invisible Empire, United Klans, Knights Ku Klux Klan of America, Inc.

This organization was formed in February of 1961. Joining with this organization was the Alabama Knights of the Ku Klux Klan, which was formed in part by Robert M. Shelton after he had been replaced by Edwards as Grand Dragon of the U.S. Klans for the State of Alabama.

Sometime, in May or June of 1961, these bodies came together; and in July of 1961, Mr. Shelton was elected its Imperial Wizard and has held that office since.

Starting off with what could be grabbed away from the membership of the U.S. Klans, the organization has grown to what we picture here today.

We have set this graph up, Mr. Chairman, so that realms are displayed as a realm because, according to our investigation, there is sufficient Klan strength to hold elections. We will, as we go down this chart, list States without a prefix of "realm" because the Klan does not have, according to our investigation, sufficient strength to form or elect bodies within themselves, so we have listed them merely as a State and have designated persons who, according to our investigation, and also which is confirmed by public press sources, are people Mr. Shelton has appointed as Grand Dragons in these various areas.

These are not in the order in which they were formed as the United Klans came into being in 1961, but are set forth to show how the United Klans looks today according to our investigation.

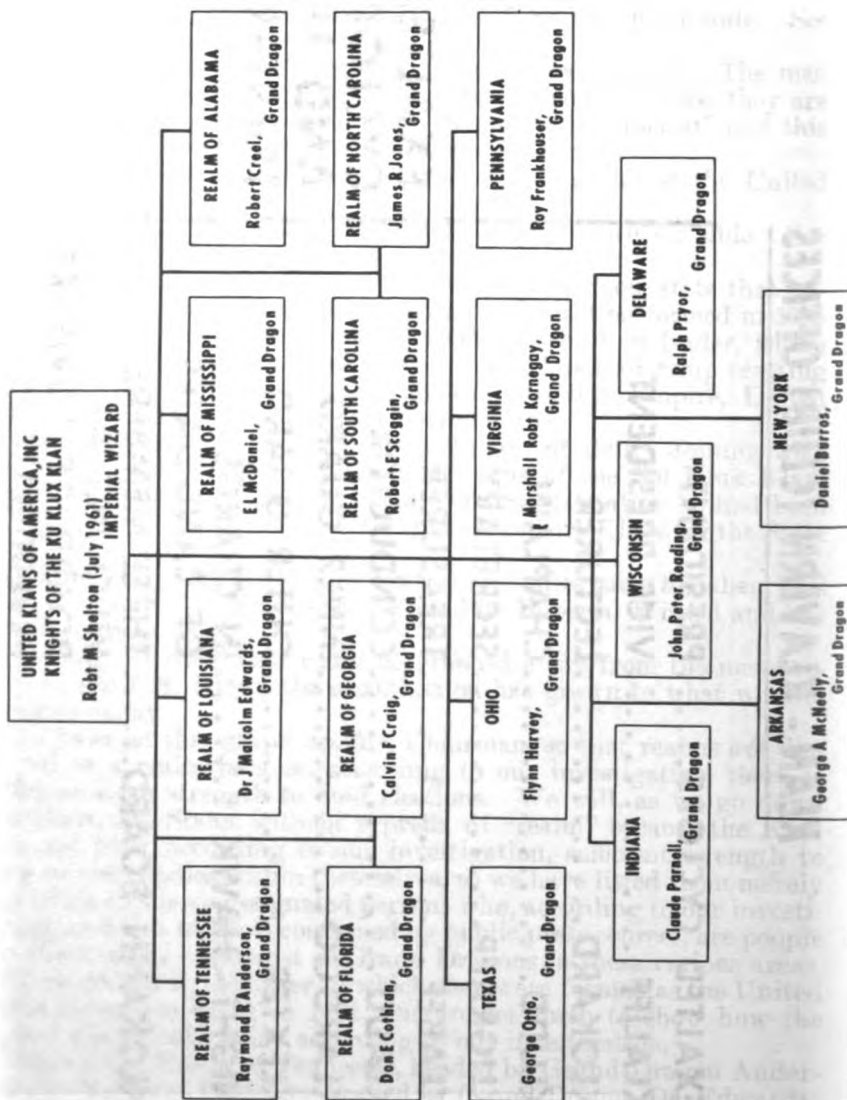
There is the Realm of Tennessee, headed by Grand Dragon Anderson; the Realm of Louisiana headed by Grand Dragon Dr. Edwards; the Realm of Mississippi headed by Grand Dragon McDaniel; the Realm of Alabama headed by Grand Dragon Creel; the Realm of Florida, headed by Grand Dragon Cothran; the Realm of Georgia

KLAN - KLAVERN (CLUB) OFFICES

EXALTED CYCLOPS.....	PRESIDENT
KLALIFF.....	VICE PRESIDENT
KLOKARD.....	LECTURER
KLUDD.....	CHAPLAIN
KLIGRAPP.....	SECRETARY
KLABEE.....	TREASURER
KLADD.....	CONDUCTOR
KLAROGO.....	INNER GUARD
KLEXTER.....	OUTER GUARD
NIGHT - HAWK.....	IN CHARGE
	OF CANDIDATES
KLOKANN BOARD.....	THREE-MEMBERS
	WHO ACT AS
	BOARD OF ADVISORS,
	INVESTIGATORS,
	AND AUDITORS.

**EXALTED
CYCLOPS
AND HIS
TERRORS**

[COMMITTEE EXHIBIT No. 7]



headed by Grand Dragon Craig; the Realm of South Carolina headed by Grand Dragon Scoggin; the Realm of North Carolina headed by Grand Dragon Jones.

In Ohio we have designated the leader in the State, Mr. Harvey; in Texas it is Mr. Otto; in Virginia, Mr. Kornegay, who, until being designated Grand Dragon of Virginia, was a paid employee of the Klan in North Carolina; in Pennsylvania, Mr. Frankhouser; in Indiana, Claude Parnell; in Wisconsin, John Peter Reading; in Delaware, Ralph Pryor; in Arkansas, George A. McNeely; and in New York, Daniel Burros.

Mr. Chairman, for investigative purposes, we have divided the Klan organizations into basically three divisions, the United Klans of America and a group of autonomous Klans formed within an association, and then a few Klan organizations which sit outside of either Mr. Shelton's Klan or the association.

I would now like to show those Klans within the National Association.

(Chart of National Association of the Knights of the Ku Klux Klans shown on slide. See Committee Exhibit No. 8, p. 1544.)

Mr. APPELL. This National Association is, as I said, an informal sort of arrangement under the chairmanship of James R. Venable, of Georgia. They meet roughly three times a year. Their purpose in meeting is to discuss common problems among the Klans within the association.

There is the Dixie Klans, Inc., Knights of the Ku Klux Klan. We have Mr. Jack W. Brown heading it. It is our investigative understanding that he has died within the past several days.

The Improved Order of U.S. Klans, with Earl E. George; the Original Knights of the Ku Klux Klan, with Murry H. Martin.

You will note that the Dixie Klans, Inc., has Klaverns in Tennessee, Georgia, and Alabama. The Improved Order of U.S. Klans has Klaverns in Alabama and Florida.

Then we deal with the National Knights of the Ku Klux Klan, Inc., which is an autonomous Klan group, and also under the leadership of Mr. Venable. This organization has Klaverns in Louisiana, Georgia, North Carolina, and Alabama.

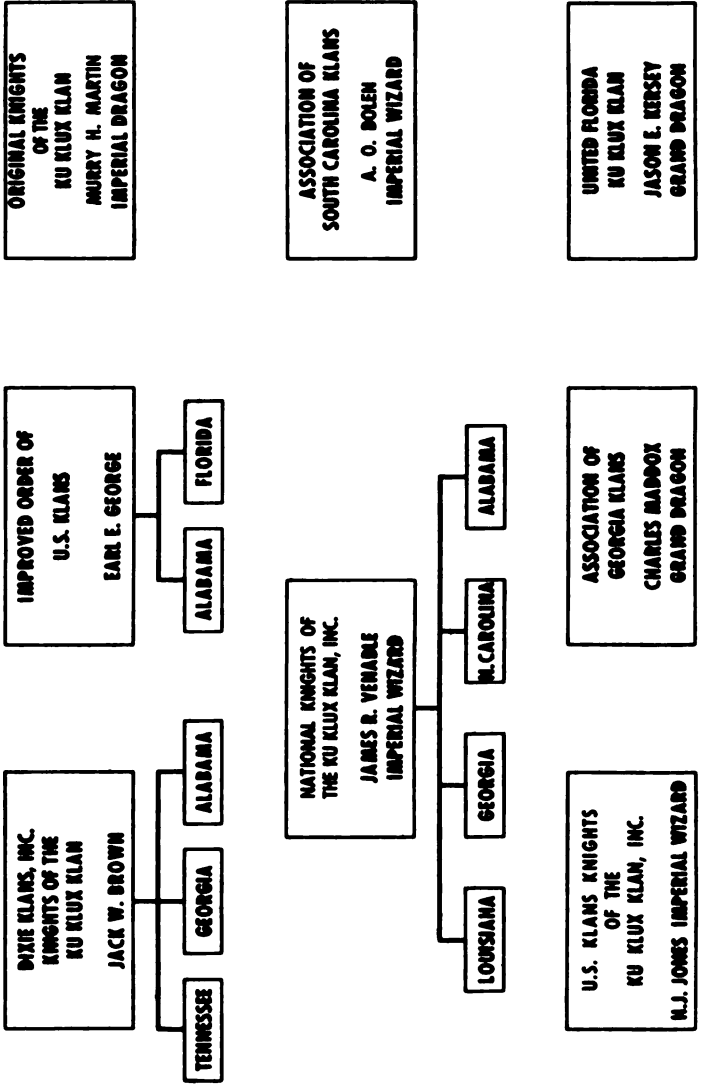
Then there is the Association of South Carolina Klans, comprised solely within the jurisdiction of South Carolina.

Then the U.S. Klans, Knights of the Ku Klux Klan, Inc., out of which the big Klan of Mr. Shelton's grew, and it is under the leadership of Mr. H. J. Jones; the Association of Georgia Klans, under Charles Maddox; and the United Florida Ku Klux Klan under Jason E. Kersey.

The next, Mr. Chairman, are Klan groups which we establish as independent Klan organizations.

[COMMITTEE EXHIBIT No. 8]

**NATIONAL ASSOCIATION
KNIGHTS OF THE KU KLUX KLAN
JAMES R. VENABLE, CHAIRMAN**



(A slide of the following was shown:)

[Committee Exhibit No. 9]

Independent Klan Organizations

1. White Knights of the Ku Klux Klan (Mississippi).
2. Anti-Communist Christian Association (Louisiana) formerly the Original Knights of the Ku Klux Klan.
3. Association of Arkansas Klans.
4. Militant Knights of the Ku Klux Klan (Florida).
5. Mississippi Knights of the Ku Klux Klan.

Mr. APPELL. Membershipwise, they range from a very important Klan in Mississippi known as the White Knights of the Ku Klux Klan of Mississippi, down to a one-man Klan organization that I will point out as we uncover this list.

In the order of their importance, the White Knights of the Ku Klux Klan of Mississippi; the Anti-Communist Christian Association is next. This was formerly a part of the Original Knights of the Ku Klux Klan. They are confined mainly within the Sixth Congressional District of Louisiana, which is the Bogalusa area as the predominant point.

The third is the Association of Arkansas Klans, very small.

Fourth is the Militant Knights of the Ku Klux Klan, a Florida group which has started an organization effort within the last 3 months; and the Mississippi Knights of the Ku Klux Klan, which, according to the best of our information, is comprised solely of its top officer.

Mr. Chairman, this concludes my part of the presentation, and I would like to have you call as the next witness Mr. Philip Manuel, a member of the investigative staff, who will deal with a breakdown of these Klans by States in order to show the location and what our investigation established as far as Klaverns or clubs are concerned.

The CHAIRMAN. That will be done.

Will you raise your right hand?

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MANUEL. Yes, sir.

TESTIMONY OF PHILIP R. MANUEL

Mr. MANUEL. Mr. Chairman, the exhibits which I am about to show are a compilation of all Klaverns which the committee investigation has determined were in existence in the years 1964 and 1965 to the present time.

I want to emphasize that, in some cases, some Klaverns which existed for part or all of 1964 may not be in existence today. The committee investigation has shown that, by the nature of the various Klan organizations, Klaverns are both established and dissolved in a relatively short time and the secrecy under which the Klan groups operate makes their detection very difficult.

Therefore, these exhibits are intended to show the concentration by county of Klaverns of the various Klan groups which are known to have been in existence for the period January 1964 to the present time.

I wish to emphasize that the investigative staff is not claiming that these are the only Klaverns which exist, or have existed, for the period January 1964 to the present. There is a possibility that other Klaverns exist, or have existed, of which the staff has no knowledge.

I also wish to point out that additional information is still being collected which may possibly enlarge the committee's knowledge in this matter. An additional exhibit I will display after the State maps will give a listing of the county, city, or town in which the particular Klavern is located, plus the cover name by which the Klavern is known.

The committee investigation has revealed that some Klan groups, and in particular the United Klans of America, Inc., make extensive use of cover names when establishing bank accounts, for example, or post office boxes or making group reservations at some hotel or other business establishment.

Now, Mr. Chairman, I will proceed to show each individual State exhibit, starting with the State of Virginia.

The CHAIRMAN. Mr. Manuel, for the record, please describe your background as an investigator and how long you have been with the committee.

Your name, of course, is Philip Manuel.

Mr. MANUEL. Philip R. Manuel. I have been employed by the Committee on Un-American Activities since the 1st of January 1964. Prior to that date I was a special agent of the Counterintelligence Corps of the Department of the Army, in which capacity I served from 1960 until the date that I joined the staff of the committee.

The CHAIRMAN. Were you not in the CIA?

Mr. MANUEL. No, sir. It is commonly known as CIC, the Counterintelligence Corps of the United States Army, the Department of Defense.

Now I will proceed with the State of Virginia.

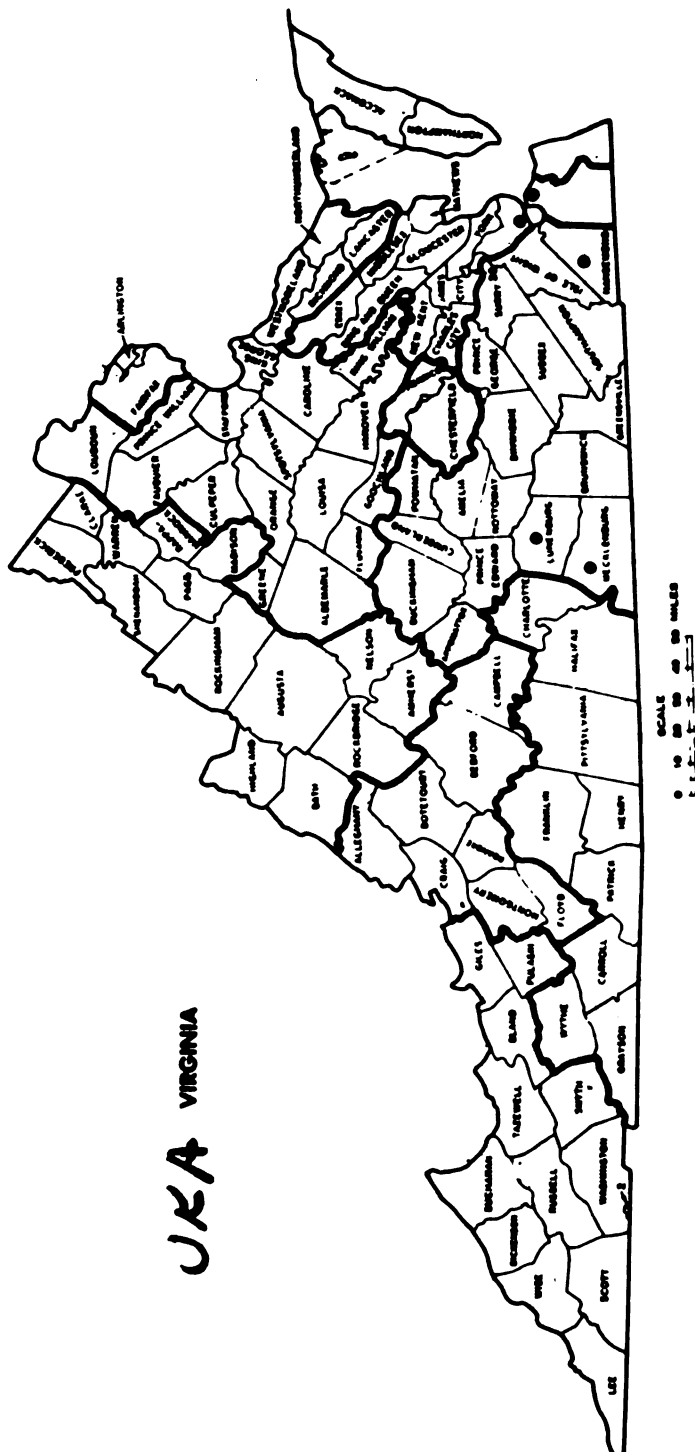
(Map of Virginia shown on the slide. See Committee Exhibit No. 10, p. 1547.)

Mr. MANUEL. You will see shown the State map of Virginia. The red dots on this map, Mr. Chairman, represent the Klaverns which the committee investigation has shown to exist in this State at the present time. I want to point out that until June of 1965 the State's Grand Dragon and principal offices were located in the area of Chesapeake, Virginia. Since June of 1965, a new Grand Dragon has been appointed whom Mr. Appell identified as Marshall Kornegay, and he has been active, the committee investigation shows, in this particular area, and the committee investigation has shown that three additional Klaverns have been established since he took over.

The identities of these Klaverns are as follows, as far as the county, city, and, where known, the Klavern name and designation.

[COMMITTEE EXHIBIT NO. 10]

UKA VIRGINIA



I want to do this very briefly and as quickly as possible as each of these, Mr. Chairman, the staff hopes to enter into the record as exhibits.

The CHAIRMAN. We will do that after you finish. Proceed.

Let me say at this point that the exhibits identified by Mr. Appell will be received in evidence in the order in which they were presented by him, and the exhibits now being identified by Mr. Manuel will be received in evidence in the record in the order and at the points identified by Mr. Manuel.

(Chart of the Virginia Klaverns shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 11]

State of Virginia—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Lunenburg.....	Victoria.....	Chase City Fellowship Club.
Mecklenburg.....	Chase City.....	
Nansemond.....	Holland.....	
Norfolk.....	Portsmouth.....	
Warwick.....	Newport News.....	Warwick Mens Club.

Mr. MANUEL. Next the committee staff would like to present its results of investigation as far as North Carolina is concerned.

Maps of North Carolina shown on slides. See Committee Exhibits Nos. 12 and 13, pp. 1549, 1550.)

Mr. MANUEL. I would like to point out that the dark black lines that you see on each of these maps are taken from the exact congressional districts at the start of the present Congress. That would be current as of January 1964. The significance of this is that, as Mr. Appell has stated—

The CHAIRMAN. 1965.

Mr. MANUEL. 1965. I am sorry.

As Mr. Appell has stated, the congressional districts are synonymous with the province breakdowns of the various Klan groups.

I will first represent by the red dots, which you will see on this overlay, the locations which the committee investigation has shown to exist at the present time covering the years 1964 and 1965 in the State of North Carolina.

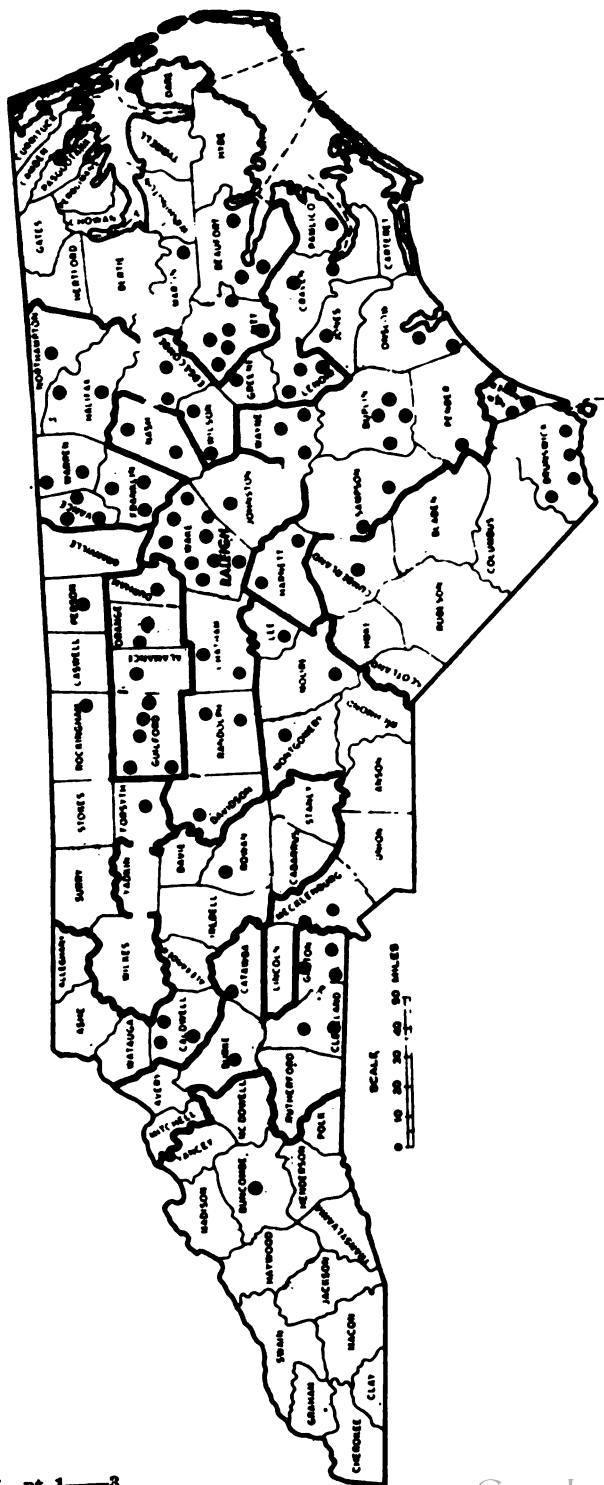
The committee investigation has shown that we have a total of 112 Klaverns which the investigation has uncovered of the UKA in North Carolina (Exhibit No. 12). There is one additional Klavern located in Wilson County, North Carolina, represented by the green dot, and that signifies a Klavern of the National Knights of the Ku Klux Klan (Exhibit No. 13).

As an additional exhibit, I would like to display briefly the county, city and town, and Klavern name or designation, where known, for each of the Klaverns which were plotted on the map.

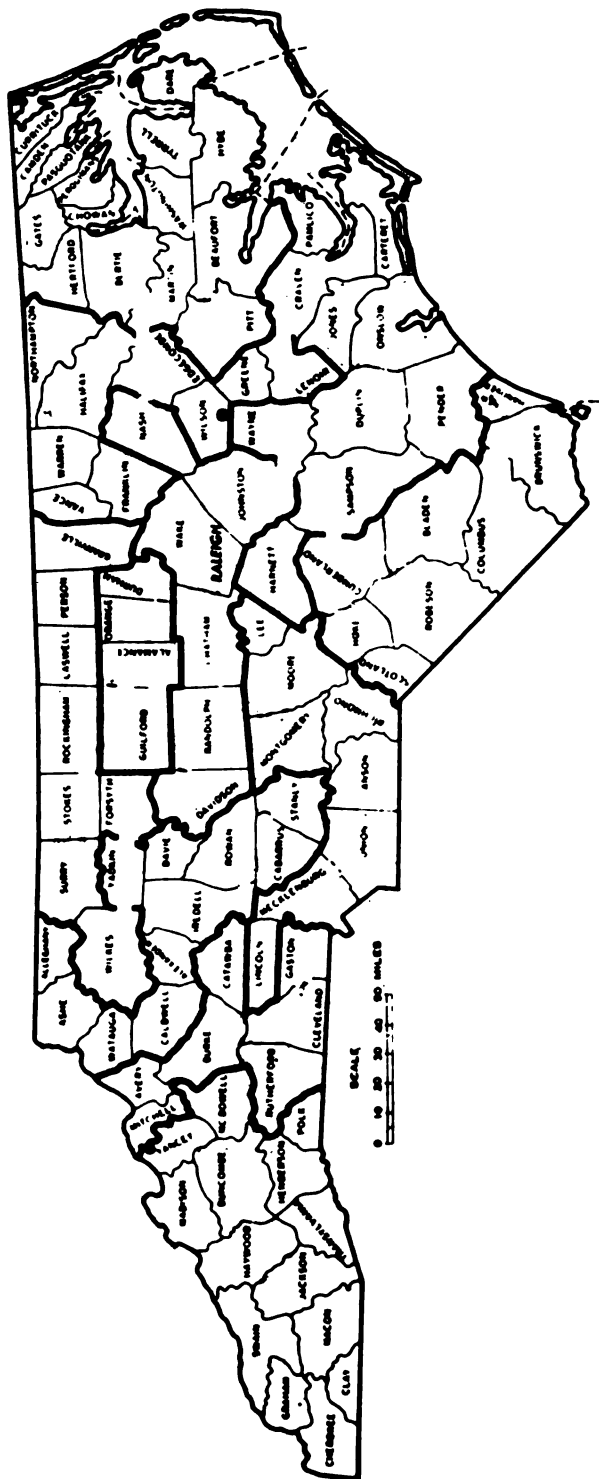
[COMMITTEE EXHIBIT NO. 12]

NORTH CAROLINA

425



NAT Knight NORTH CAROLINA



And the cover names that I spoke of previously you can see listed. (Charts of North Carolina Klaverns of United Klans of America, Inc., shown on slides. A list of these Klaverns follows:)

[Committee Exhibit No. 14]

State of North Carolina—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Alamance.....	Burlington.....	Unit No. 18, Ladies' Auxiliary of the KKK.
	Washington.....	
Beaufort.....	Blounts Creek.....	
	Pantego.....	Unit No. 35.
Bladen.....		Unit No. 81.
	Supply.....	Klavern No. 28.
Brunswick.....	Freeland.....	
	Shallotte.....	
	Bolivia.....	Burke County Improvement Society.
Burke.....	Morganton.....	
	Lenoir.....	
Caldwell.....	Whitnel.....	Chatham Citizens Club.
	Gamewell.....	
	Bynum.....	
Chatham.....	Pittsboro.....	Chatham Citizens Club No. 19.
	Goldston.....	Central Carolina Ladies' League.
Cleveland.....	Shelby.....	Hunters Club.
	Kings Mountain.....	Red Wood Lodge.
Columbus.....		Craven County Improvement Asso- ciation; Craven County Ladies' Auxiliary No. 33.
Craven.....	New Bern.....	
	Vanceboro.....	
Cumberland.....	Fayetteville.....	Craven Fellowship Club.
Catawba.....	Hickory.....	Cumberland County Patriots.
		Catawba County Improvement Association.
Davidson.....	Lexington.....	Davidson County Sportsman Club.
	Rose Hill.....	Sportsman Club.
Duplin.....	Beulaville (2).....	Limestone Fishing Club No. 48.
	Wallace.....	Cape Fear Fishing Club.
Durham.....	Durham.....	Town and Country Sportsman Club No. 9; Friendly Circle No. 9.
Edgecombe.....	Rocky Mount.....	Tri-County Sportsman Club No. 24.
	Tarboro.....	Tarboro Klavern No. 43.
	Louisburg.....	Louisburg Klavern No. 29.
Franklin.....	Centerville.....	Bunn Saddle Club.
	Bunn.....	
Forsyth.....	Winston-Salem.....	
	Cherryville.....	Gaston County Sportsman Club No. 34.
Gaston.....	Mount Holly.....	
	Bessemer City.....	
Granville.....		Greene County Improvement Associa- tion.
Greene.....	Snow Hill.....	
	Greensboro (3).....	
Guilford.....		Pinedale Saddle Club No. 10; Travel- er's Club No. 10; Traveler's Auxili- ary No. 10.
	High Point (2).....	Sophia Rebels Club No. 11; High Point Brotherhood Club No. 11.
Halifax.....	Roanoke Rapids.....	Roanoke Rapids Klavern No. 40.
	Enfield.....	Halifax County Ladies Club.
	Dunn.....	Harnett County Improvement Asso- ciation No. 22.
Harnett.....	Angier.....	Black River Improvement Club.

State of North Carolina—Klaverns of the United Klans of America, Inc.—Con.

County	City or Town	Klavern Name and Designation
Iredell.....		
Johnston.....	Clayton.....	Ranch Gun Club.
Jones.....	Trenton.....	
Lee.....	Sanford.....	Lee County Improvement Association No. 23.
Lenoir.....	{ La Grange.....	
	{ Deep Run.....	
	{ Kinston (3).....	Neuse Hunting Club; Trent Community Club; Lenoir Fellowship Club.
Martin.....	Williamston.....	Martin County Sportsman Club No. 4.
Mecklenburg.....	Charlotte.....	
Montgomery.....	Biscoe.....	Little River Club No. 27.
Moore.....	Southern Pines.....	211 Pointers Club.
New Hanover.....	{ Wilmington (2).....	Ladies of Knights Circle; Pender County Improvement Association.
	{ East Wilmington.....	
	{ Wrightsville Beach.....	Ladies of Knights Circle.
Nash.....	{ Nashville.....	Nashville Klavern No. 51.
	{ Middlesex.....	
Northampton.....	{ Pleasant Hill.....	
Onslow.....	{ Holly Ridge.....	LaRose Fishing ACC Club.
Orange.....	{ Hillsboro.....	The Sportsman's Lakeside Lodge.
Famlico.....	{ Stonewall.....	
Pasquotank.....	{ Elizabeth City.....	
Pender.....	{ Atkinson.....	Atkinson Klavern No. 26.
Person.....	{ Roxboro.....	Roxboro Fishing Club.
	{ Greenville (2).....	Benevolent Association No. 53; Ogden Christian Fellowship Club No. 53.
	{ Winterville.....	Benevolent Association.
Pitt.....	{ Farmville.....	Pitt County Improvement Association No. 37.
	{ Ayden.....	Ayden Christian Fellowship Club.
	{ Fountain.....	
	{ Grifton.....	Grifton Christian Society.
Randolph.....	{ Sophia.....	Sophia Rebels Club.
	{ Asheboro.....	White Citizens of Randolph.
Robeson.....		
Rockingham.....	Reidsville.....	Fine Fellows Club.
Rowan.....	{ Salisbury.....	Rowan Sportsman's Club No. 1.
	{ Spencer.....	Rowan Sportsman's Club.
	{ Salemburg.....	Little Coharie Improvement Association.
Sampson.....	{ Clinton.....	The Enterprise Club No. 46.
Stanly.....		
Vance.....	Henderson (3).....	Keystone Club No. 47; Family Improvement Club No. 47; Franklin County Improvement Association No. 47.
	{ Raleigh (3).....	Capital City Restoration Association No. 41; Eastern Triangle Ladies League No. 6; Neuse Rescue Service No. 41.
Wake.....	{ Wendell.....	Black River Improvement Club.
	{ Apex.....	Apex Restoration Association.
	{ Knightdale.....	
	{ Zebulon.....	
	{ Neuse.....	
	{ Fuquay Springs.....	Willow Springs Restoration Service.

State of North Carolina—Klaverns of the United Klans of America, Inc.—Con.

County	City or Town	Klavern Name and Designation
Warren-----	Norlina (2)-----	Warren County Improvement Association No. 30; Warren Women's Improvement Association.
	Warrenton (2)-----	New Bern and Blounts Creek Fund; Warren County Improvement Association.
Wayne-----	Goldsboro-----	Wayne County Improvement Association No. 38.
	Seven Springs-----	
	Mount Olive-----	
Wilson-----	Wilson-----	Wilson County Improvement Association No. 31.
	Lucama-----	Wilson County Improvement Association.

MR. MANUEL. As I say, there were 112 Klaverns of the UKA which the committee found in the State of North Carolina, which is by far the most active State in terms of Klaverns and membership of the UKA.

THE CHAIRMAN. This is still North Carolina?

MR. MANUEL. Still North Carolina, Mr. Chairman.

The last one is the Klavern of the National Knights which was established very recently in Wilson County, North Carolina.

(Chart of North Carolina Klavern of National Knights of Ku Klux Klan, Inc., shown on slide. It is as follows:)

[Committee Exhibit No. 15]

State of North Carolina—Continued—National Knights of the Ku Klux Klan, Inc.

County	City or Town	Klavern Name and Designation
Wilson-----	Wilson-----	

MR. MANUEL. The next State that I will cover is the State of Tennessee, where the committee investigation, first reviewing the Klaverns of the United Klans, has established some five Klaverns indicated on the map with the red dots.

In the State of Tennessee, located at Chattanooga, Tennessee, is the headquarters of a Klan organization identified previously by Mr. Appell. This is the headquarters of the Dixie Klans, Inc., Knights of the Ku Klux Klan.

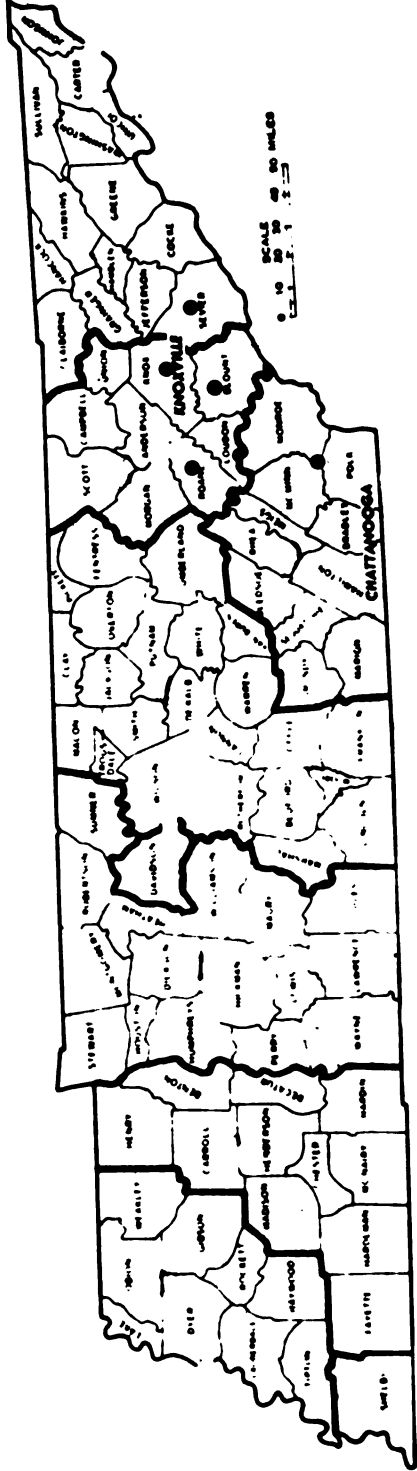
(Maps of Tennessee shown on slides. See Committee Exhibits Nos. 16 and 17, pp. 1554, 1555.)

MR. MANUEL. Here the Klaverns of the United Klans of America are listed by county, city, Klavern name as well as the Dixie Klans located in Hamilton County, in the city of Chattanooga, using the cover name sometime as the Old Hickory Club.

[COMMITTEE EXHIBIT No. 16]

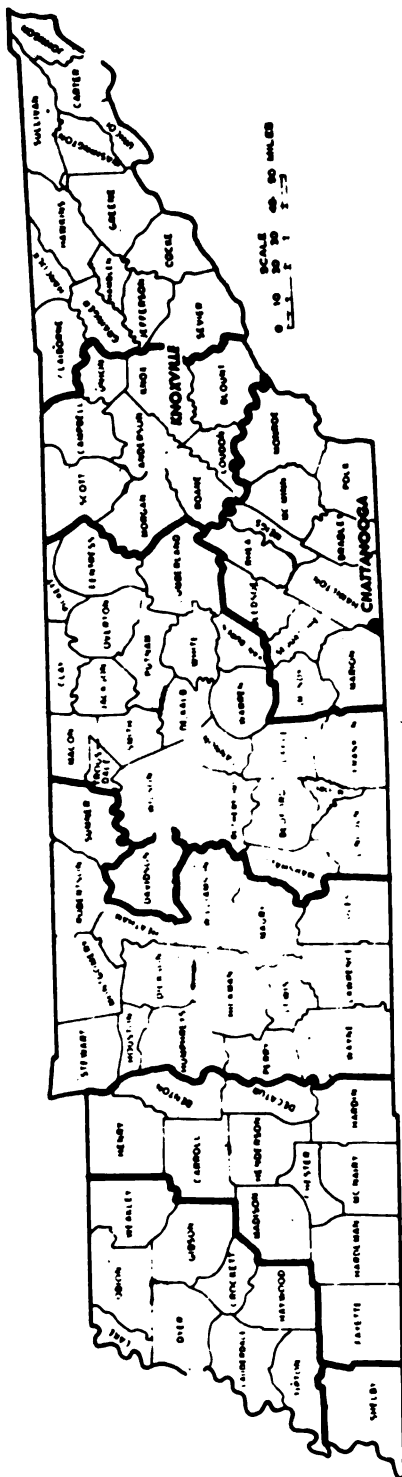
TENNESSEE

U. K. A.



[COMMITTEE EXHIBIT No. 17]

Dixie TENNESSEE



(Chart of the Tennessee Klaverns shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 18]

State of Tennessee—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Blount.....	Maryville.....	Maryville Klavern No. 1.
Knox.....	Knoxville.....	Knoxville Klavern No. 3.
McMinn.....	Etowah.....	Etowah Klavern No. 4.
Roane.....	Harriman.....	Harriman Klavern No. 2.
Sevier.....	Sevierville.....	Sevierville Klavern No. 5.

State of Tennessee—Continued—Dixie Klans, Inc.—Knights of the Ku Klux Klan

Hamilton.....	Chattanooga.....	Chattanooga Klavern No. 1; Also Known as Old Hickory Club.
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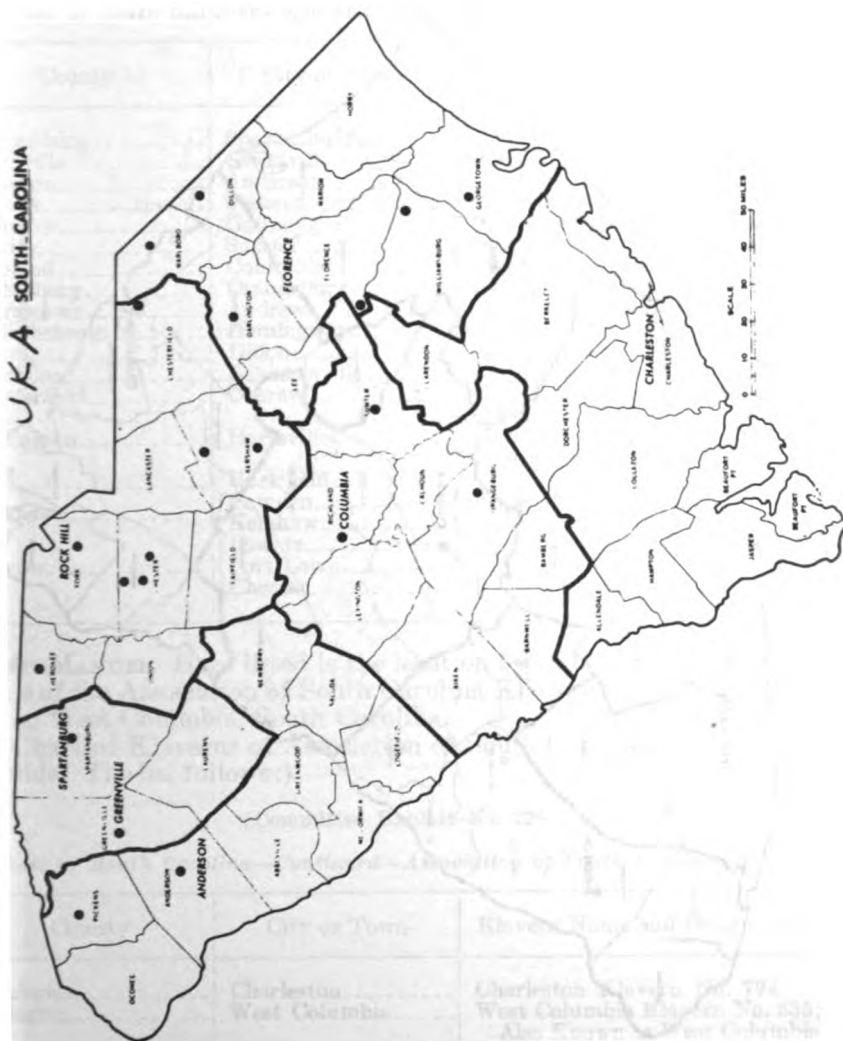
Mr. MANUEL. The next State is the State of South Carolina shown on the screen by this map.

(Maps of South Carolina shown on slides. See Committee Exhibits Nos. 19 and 20, pp. 1557, 1558.)

Mr. MANUEL. First, the red dots will indicate the location and number of the Klaverns of the United Klans of America (Exhibit No. 19). And in the State of South Carolina there is another Klan organization in existence known as the Association of South Carolina Klans, whose Klaverns are shown by means of the purple dots (Exhibit No. 20), and their headquarters are located in West Columbia, South Carolina.

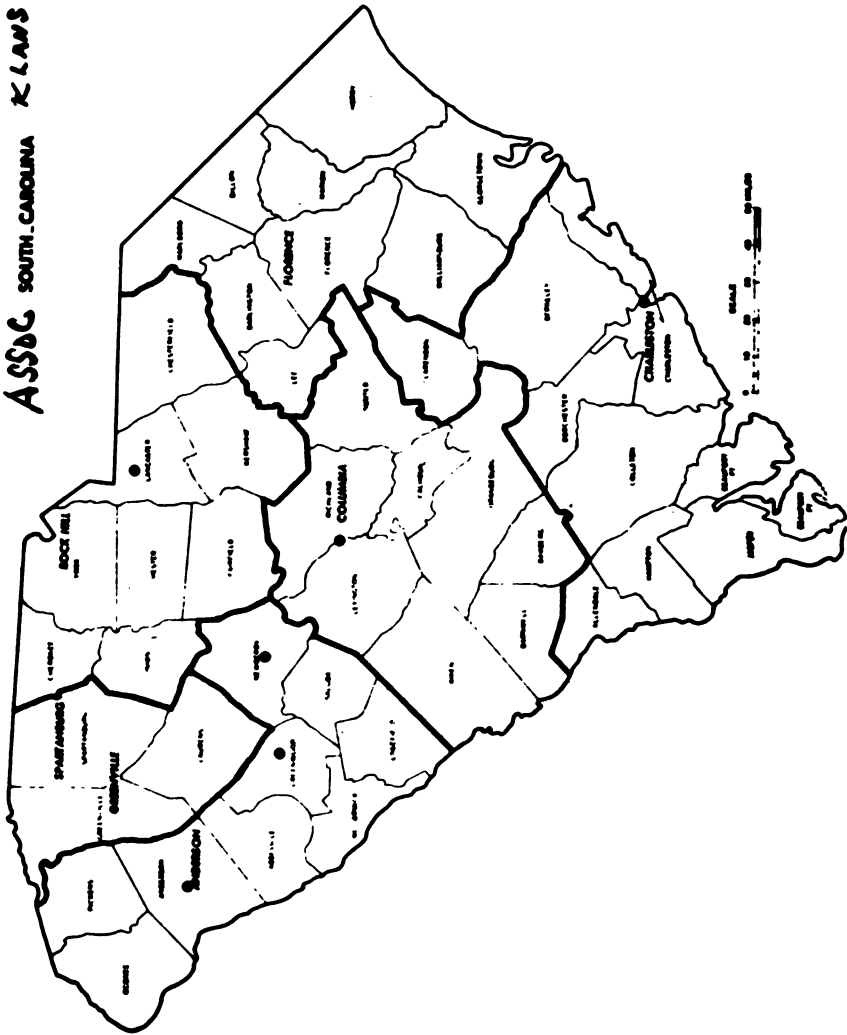
Again, here is the listing of the Klaverns of the United Klans of America in South Carolina, listed by county, city, or town. And where we know the identity, also is listed the cover name of the organization.

[COMMITTEE EXHIBIT No. 19]



[COMMITTEE EXHIBIT No. 20]

ASSOC SOUTH CAROLINA KLAN'S



(Chart of South Carolina Klaverns of UKA shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 21]

State of South Carolina—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Spartanburg	Spartanburg	Spartanburg Klavern No. 21.
Greenville	Greenville	Wade Hampton Klavern No. 1.
Anderson	Anderson	
Pickens	Pickens	Sportsmans Club No. 4.
Cherokee	Gaffney	Cherokee Sportsmans Club.
Sumter	Sumter	Sumter Sportsmans Club No. 10.
Richland	Columbia	Capital City Sportsmans Club.
Orangeburg	Orangeburg	Garden City Club.
Georgetown	Andrews	Santee Sportsmans Club.
Williamsburg	Hemingway	Hemingway Sportsmans Club.
Dillon	Dillon	Odd Brothers Club.
Marlboro	Bennettsville	Red River Club No. 19.
Chesterfield	Cheraw	Chesterfield County Sportsmans Club.
Darlington	Hartsville	Hartsville Sportsmans Club No. 24.
York	Rock Hill	
Kershaw	{ Camden	Friendship Club.
	{ Kershaw	
	{ Lowrys	
Chester	{ Fort Lawn	
	{ Chester	

Mr. MANUEL. Here listed is the location by county, city, and cover name of the Association of South Carolina Klans, whose headquarters are in West Columbia, South Carolina.

(Chart of Klaverns of Association of South Carolina Klans shown on slide. The list follows:)

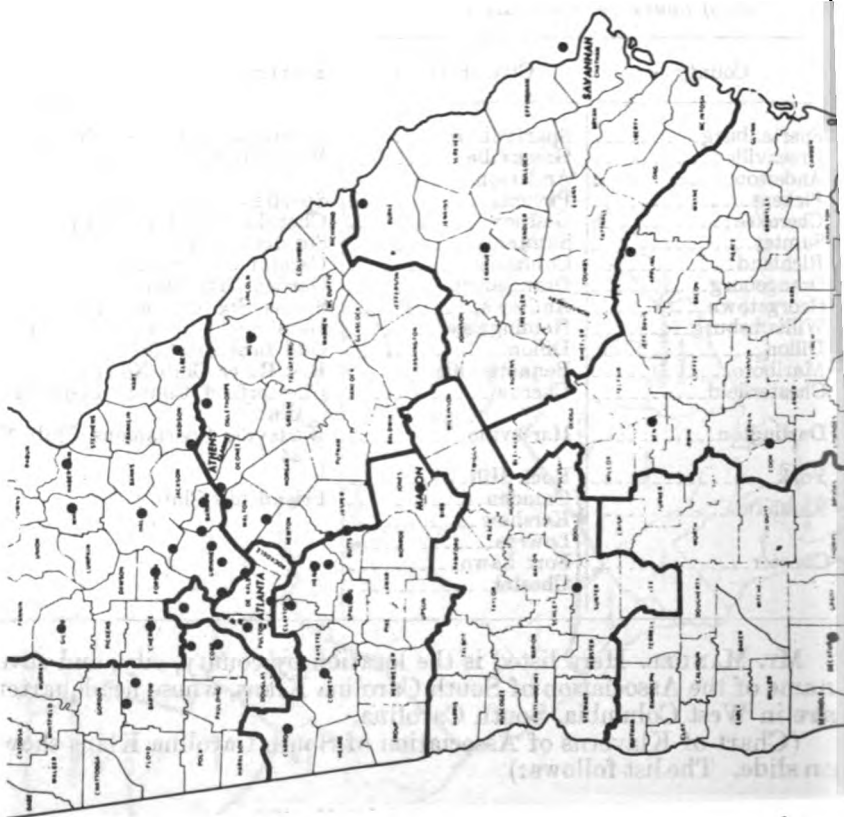
[Committee Exhibit No. 22]

State of South Carolina—Continued—Association of South Carolina Klans

County	City or Town	Klavern Name and Designation
Charleston	Charleston	Charleston Klavern No. 794.
Lexington	West Columbia	West Columbia Klavern No. 335; Also Known as West Columbia Club; Also Known as Majority Citizens League.
Lancaster	Lancaster (2)	Lancaster Klavern No. 252; Camp Creek Club.
Newberry	Newberry	Newberry Klavern No. 790
Greenwood	Ninety Six	Klavern No. 96.
Anderson	{ Anderson	Anderson Klavern No. 694.
	{ Williamston	AKIA Club No. 14.

Mr. MANUEL. The next State I will cover is the State of Georgia.
(Maps of Georgia shown on slides. See Committee Exhibits Nos. 23 through 28, pp. 1560-1565.)

[COMMITTEE EXHIBIT No. 23]



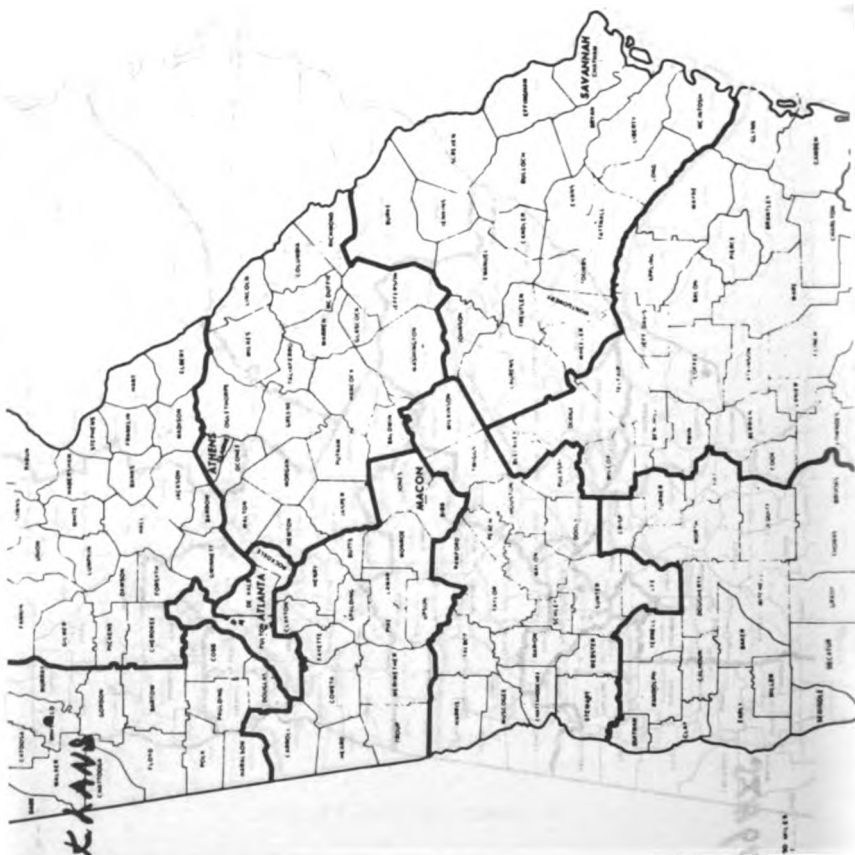
UKA
GEORGIA

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

[COMMITTEE EXHIBIT No. 24]



[COMMITTEE EXHIBIT No. 25]

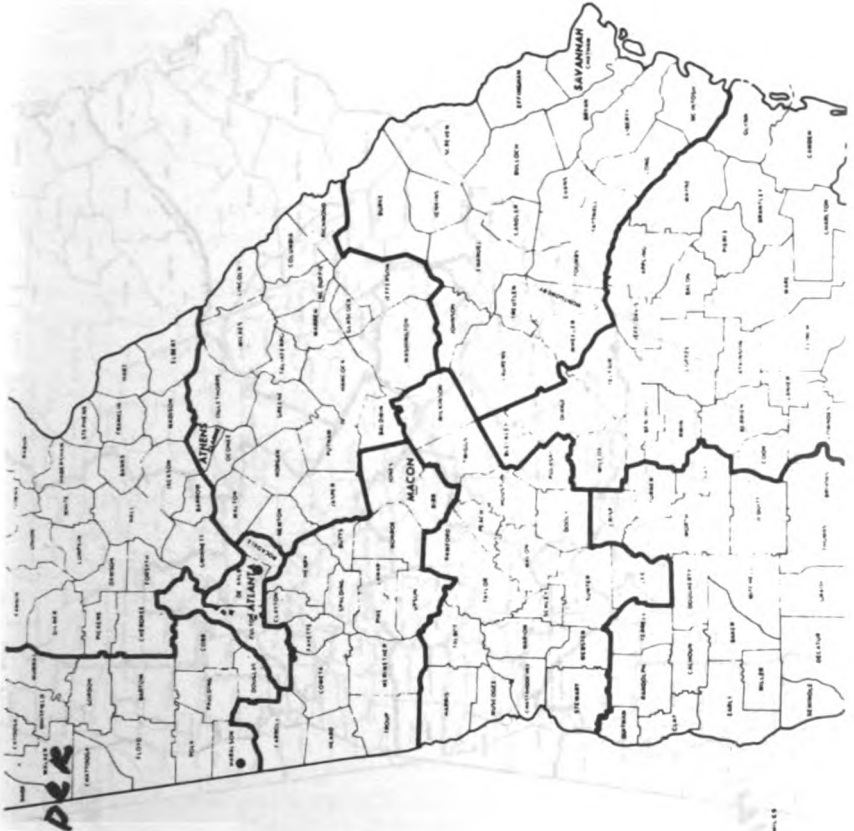


D. X. B.
ORCUGIA

SCALE
100 MILES

[COMMITTEE EXHIBIT No. 26]

IMP. ORDER
GEORGIA

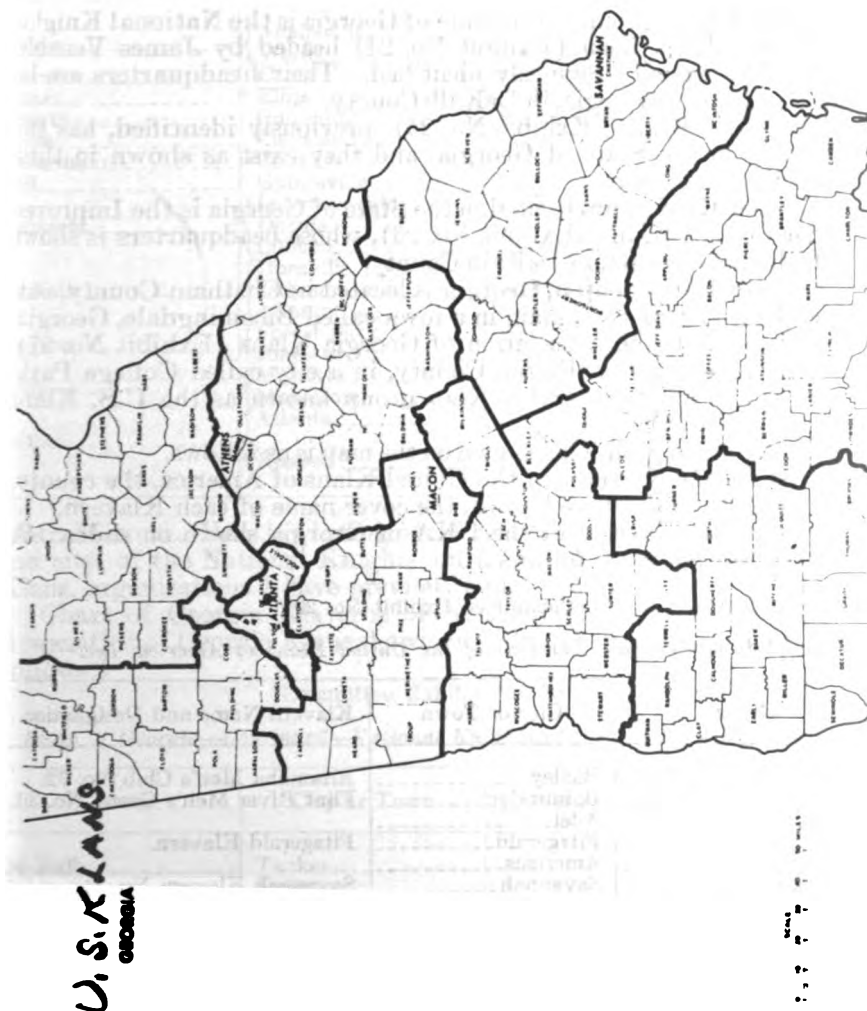


[COMMITTEE EXHIBIT No. 27]



ASSOC
GEORGIA

[COMMITTEE EXHIBIT No. 28]



Mr. MANUEL. You will see on the screen a map of the State of Georgia. The first Klan group we will cover, again, is the United Klans of America (Exhibit No. 23). Each Klavern is shown by means of the red dots in the respective county in which the committee investigation has shown that these Klaverns exist.

Another Klan group in the State of Georgia is the National Knights of the Ku Klux Klan (Exhibit No. 24) headed by James Venable, whom Mr. Appell previously identified. Their headquarters are located in Tucker, Georgia, in DeKalb County.

The Dixie Klans (Exhibit No. 25), previously identified, has two Klaverns in the State of Georgia, and they exist as shown in these respective counties.

Another Klan group located in the State of Georgia is the Improved Order of U.S. Klans (Exhibit No. 26), whose headquarters is shown in Lithonia, Georgia, in DeKalb County.

Another Klan group in Georgia is located in Chatham County, outside of the city of Savannah, in a town called Bloomingdale, Georgia, and its name is the Association of Georgia Klans (Exhibit No. 27).

Also in Georgia, in Fulton County, in a city called College Park, there is a headquarters of a Klan group known as the U.S. Klans (Exhibit No. 28).

The listing of each Klan shown on the map is as follows.

First for the Klaverns of the United Klans of America, the county, city or town, and, where known, the cover name of each Klavern.

(Charts of Klaverns of the UKA of Georgia shown on slides. A list of these Klaverns follows:)

[Committee Exhibit No. 29]

State of Georgia—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Appling	Baxley	Altamaha Men's Club No. 72.
Decatur	Bainbridge	Flint River Men's Group No. 30.
Cook	Adel	
Ben Hill	Fitzgerald	Fitzgerald Klavern.
Sumter	Americus	
Chatham	Savannah	Savannah Klavern No. 41.
Emanuel	Swainsboro	Swainsboro Klavern No. 314.
Burke	Waynesboro	Waynesboro Klavern No. 310.
Bibb	Macon	Ghost Klavern No. 115.
Wilkes	Washington	Washington Klavern No. 301.
Oglethorpe	Crawford	Oglethorpe Klavern No. 244.
Elbert	Elberton	
Clarke	Athens	Clarke County Klavern No. 244.
Walton	{ Monroe	Douglas Klavern No. 714.
	{ Bold Spring	Vinegar Hill Klavern No. 53.
Butts	{ Jackson	Impala No. 42.
	{ Indian Springs	
Spalding	Griffin	Spalding County Klavern No. 25.
Henry	{ McDonough	Henry County Klavern No. 60.
	{ Locust Grove	Lakeview Men's Club.
Coweta	Newnan	
Newton	Covington	
Carroll	Carrollton	Rocky Plains Klavern No. 38.

State of Georgia—Klaverns of the United Klans of America, Inc.—Continued

County	City or Town	Klavern Name and Designation
Bartow.....	{ Adairsville.....	Wolf Den Klavern No. 411. Canton Klavern No. 70. Yukon Klavern No. 5. Straight Arrow No. 17.
Cherokee.....	{ White.....	
Gilmer.....	{ Canton.....	
Forsyth.....	{ Ellijay.....	
White.....	{ Cumming.....	
Habersham.....	{ Cleveland.....	Zingari Klavern No. 332.
Hall.....	{ Clarkesville.....	
	{ Gainesville.....	
Gwinnett.....	{ Lawrenceville.....	
	{ Dacula.....	
De Kalb.....	{ Lilburn.....	Lilburn Klavern No. 229. Fiery Cross Klavern No. 113. Kelly Haines Klavern No. 9. Confederate Klavern No. 2. Clayton Klavern No. 52. Clayton Civic Club. Joseph E. Johnston Club No. 61. Old No. 66. Nathan Bedford Forrest Klavern No. 1. Cherokee Klavern No. 92.
	{ Doraville.....	
	{ Lithonia.....	
	{ Atlanta.....	
	{ Forest Park.....	
Clayton.....	{ Jonesboro.....	Old No. 66. Nathan Bedford Forrest Klavern No. 1. Cherokee Klavern No. 92.
Cobb.....	{ Marietta.....	
	{ Mableton.....	
	{ Atlanta.....	
Fulton.....	{ Roswell.....	

Mr. MANUEL. Here is a listing of the Klaverns in Georgia, by county and city, of the National Knights and of the Association of Georgia Klans, organizations I have previously identified.

(Chart of Georgia Klaverns of National Knights of KKK and Association of Georgia Klans shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 30]

State of Georgia—Continued—National Knights of the Ku Klux Klan, Inc.

County	City or Town	Klavern Name and Designation
De Kalb.....	Tucker.....	
Cobb.....	Smyrna.....	
Lamar.....	Barnesville.....	
Hart.....	Hartwell.....	

Association of Georgia Klans

Chatham.....	Bloomington.....	
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Mr. MANUEL. Just recently, I might add, and these were included in the map which I have shown on the State of Georgia, there were some new additions of Klaverns that have been just recently established in that State—in Early, Oglethorpe, Seminole, Floyd, Thomas, and Bibb Counties, in the towns shown, with their Klavern name being shown.

(Chart of additional Klaverns of the UKA of Georgia shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 31]

State of Georgia—Continued—New Additions—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Early.....	Blakely.....	Early Lodge No. 35.
Oglethorpe.....	(Rural Area).....	Tri-County Klavern No. 65.
Seminole.....	Seminole City.....	Donaldsville Klavern No. 3.
Floyd.....	Rome.....	
Thomas.....	Coolidge.....	
Bibb.....	Macon.....	Bibb County Klavern No. 115.

Mr. MANUEL. As previously identified, we have other Klan groups in the State of Georgia identified as the Improved Order of U.S. Klans, with headquarters in Lithonia; we have additional Klaverns of the Dixie Klans in the State of Georgia; and in the State of Georgia we have the headquarters of the U.S. Klans, Knights of the Ku Klux Klan, located in Fulton County, in College Park.

(Chart of Klaverns of other Klan groups in Georgia shown on slide. A list of these follows:)

[Committee Exhibit No. 32]

State of Georgia—Continued—Improved Order of U.S. Klans

County	City or Town	Klavern Name and Designation
De Kalb.....	Lithonia.....	
Haralson.....	Tallapoosa.....	

Dixie Klans, Inc.—Knights of the Ku Klux Klan

Whitfield.....	Dalton.....	
Murray.....	Chatsworth.....	

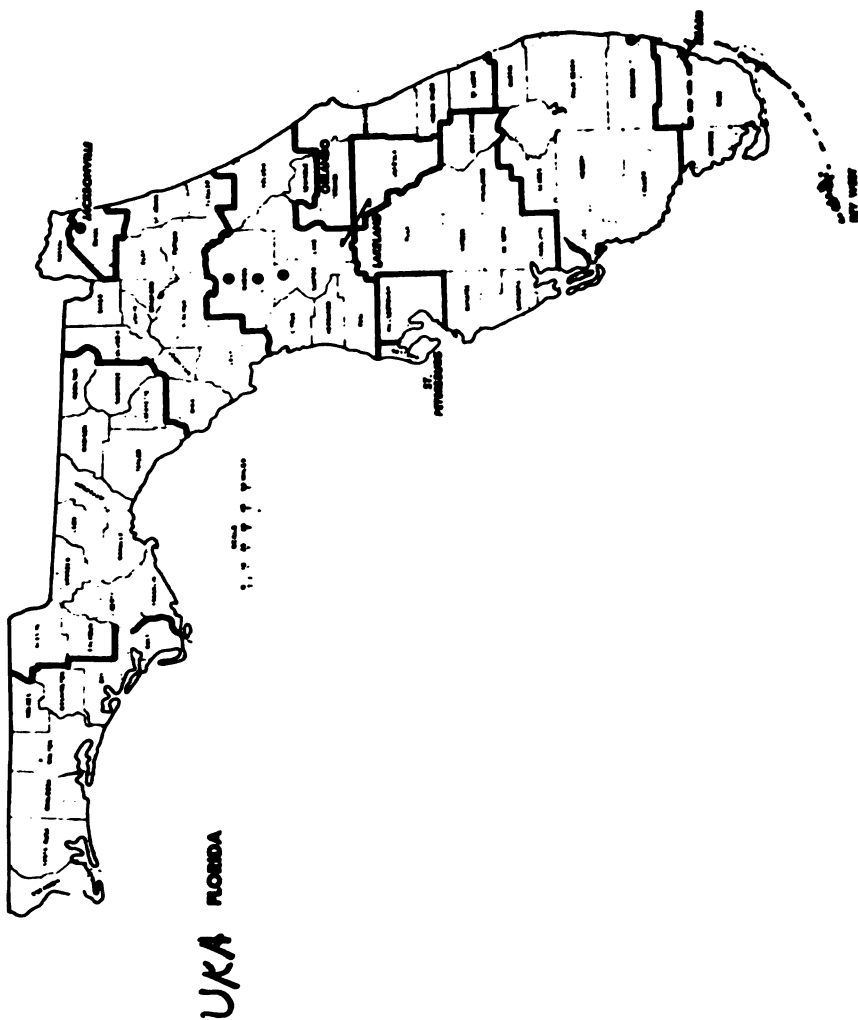
U.S. Klans, Knights of the Ku Klux Klan, Inc.

Fulton.....	College Park.....	
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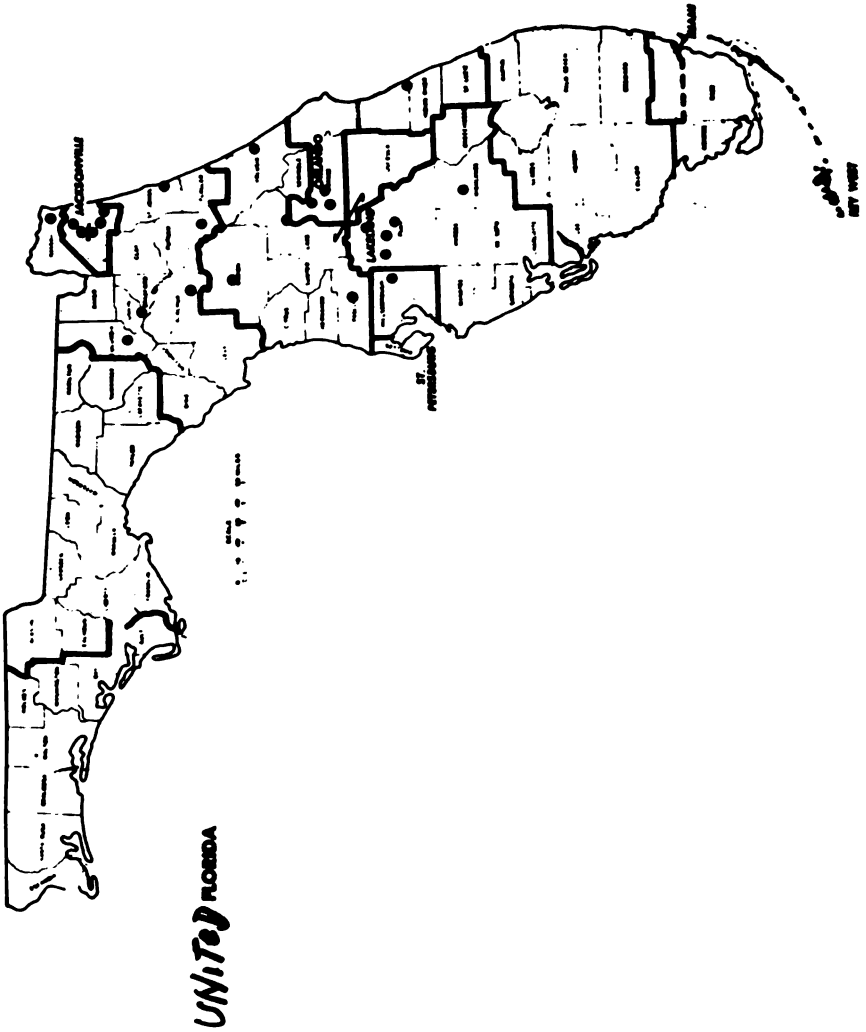
Mr. MANUEL. The next State I would like to cover is the State of Florida. This is shown on the following maps.

(Maps of Florida shown on slides. See Committee Exhibits Nos. 33 through 36, pp. 1569–1572.)

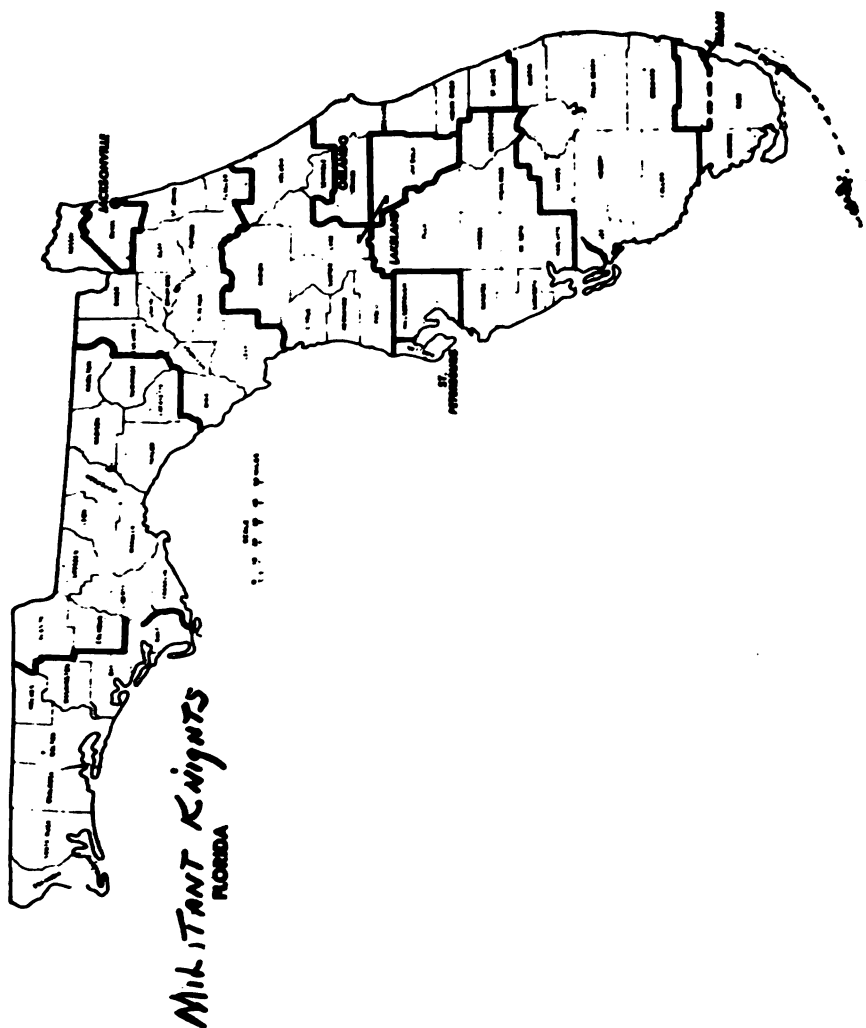
[COMMITTEE EXHIBIT No. 33]



[COMMITTEE EXHIBIT No. 34]



[COMMITTEE EXHIBIT No. 35]



Mr. MANUEL. The committee investigation has revealed that the following Klaverns of the United Klans of America are in existence in the State of Florida. They are designated, again, by the red dots on the map inside the limits of the counties in which they are located (Exhibit No. 33).

In the State of Florida, in addition to the United Klans of America, there is a separate Klan group, previously identified by Mr. Appell, which is known as the United Florida Klans, a relatively active group. Its Klaverns are listed by county as you see on this particular map (Exhibit No. 34).

Also in the State of Florida, previously identified by Mr. Appell, is a separate Klan organization known as the Militant Knights of the Ku Klux Klan whose headquarters are in Jacksonville, Florida (Exhibit No. 35).

Also in the State of Florida, a separate and very small Klan group, which meets on an irregular basis, according to committee information, is located in the town of Oldsmar, Florida, in Pinellas County, and it is known as the Knights of the Ku Klux Klan (Exhibit No. 36).

A listing of each Klavern of the United Klans is as follows, showing the county in which it is located, the city or town, and the cover name or Klavern designation which it uses.

(Chart of Klaverns of the United Klans of America, Inc., of Florida shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 37]

State of Florida—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Duval.....	Jacksonville.....	Jacksonville Klavern No. 2.
Marion.....	{Bellevue.....	Summerfield Fellowship Club.
Sumter.....	{Ocala.....	
Broward.....	Wildwood.....	Wildwood Sportsmans Club.
Dade.....	Fort Lauderdale.....	Broward Fellowship Club.
	Miami.....	Dade County Klavern No. 6.

Mr. MANUEL. Following is a list of the Klaverns by county, city or town, et cetera, of the United Florida Klans, which were shown with the blue dots on the map.

As you can see, there are five separate Klaverns of this group in the area of Jacksonville, Florida.

(Chart of Klaverns of United Florida KKK shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 38]

State of Florida—Continued—United Florida Ku Klux Klan

County	City or Town	Klavern Name and Designation
Nassau.....	Yulee.....	Nassau County Klavern No. 501.
Duval.....	Jacksonville (5).....	Jacksonville Klavern No. 502; Also Known as Paul Revere Historical Society; Also Known as Duval Fellowship Club; Robert E. Lee Klavern No. 506; Robert E. Lee Klavern No. 508; Robert E. Lee Klavern No. 513; Robert E. Lee Klavern No. 520.
St. Johns.....	St. Augustine.....	St. Augustine Klavern No. 519; Also Known as Ancient City Gun Club.
Columbia.....	Lake City.....	Lake City Klavern.
Union.....	Lake Butler.....	
Alachua.....	Gainesville.....	Patriot Klavern.
Putnam.....	Palatka.....	
Marion.....	Ocala.....	Marion Klavern.
Volusia.....	Samsula.....	DeLand Sportsmans Club No. 8-1.
Lake.....	Mount Dora.....	
	Lakeland.....	Forrest Club No. 11, United Gun Club.
Polk.....	Auburndale.....	Auburndale Fisherman's Club.
	Haines City.....	Central Sportsmans Club No. 101.
	Lake Wales.....	Lake Wales Pioneer Club No. 5-4.

Mr. MANUEL. This is a continuation of the previous group, the United Florida Klans; the separate Klan group previously identified in Pinellas County; and the separate group of the Militant Knights located in Duval County, Florida.

(Chart of additional Klaverns of United Florida KKK and Klaverns of Knights of the KKK and Militant Knights of the KKK in Florida shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 39]

State of Florida—Continued—United Florida Ku Klux Klan—Continued

County	City or Town	Klavern Name and Designation
Orange.....	{ Apopka.....	West Orange Sportsman's Lodge No. 7-3.
	{ Ocoee.....	Sherwood Club No. 7-2.
	{ Orlando.....	The 7-1 Club.
Hillsborough.....	Plant City.....	East Hillsborough Sportsman's Club.
Highlands.....	Sebring.....	Imperial Club No. 27-1.
Brevard.....	Melbourne.....	Melbourne Klavern.
Pasco.....	Dade City.....	Confederate Club No. 38.

Knights of the Ku Klux Klan

Pinellas.....	Oldsmar.....	
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Militant Knights of the Ku Klux Klan

Duval.....	Jacksonville.....	Unit No. 1.
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Mr. MANUEL. That completes the listing of the Klaverns in the State of Florida.

The next State the committee staff would like to cover is that of Alabama.

(Maps of Alabama shown on slides. See Committee Exhibits Nos. 40 through 43, pp. 1576-1579.)

Mr. MANUEL. Again starting out with the United Klans of America, the committee investigation has revealed these Klaverns exist as shown on the map in the counties indicated.

Calling your attention to the city of Tuscaloosa, Alabama, this is the headquarters of the United Klans of America (Exhibit No. 40).

In Alabama also is a Klavern of the National Knights of the Ku Klux Klan (Exhibit No. 41).

The CHAIRMAN. That is not affiliated with the United Klans of America?

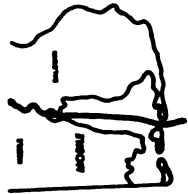
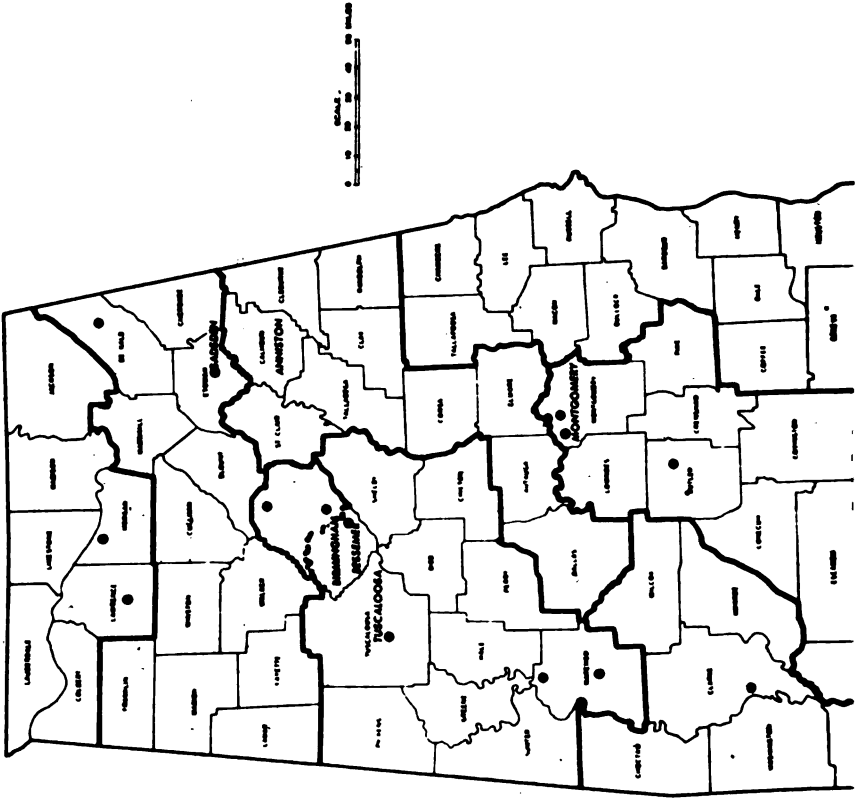
Mr. MANUEL. No, sir. It is a separate Klan group. This is a Klavern of the Improved Order of U.S. Klans, which the committee investigation has revealed was in existence in the period 1964 to the present, and they also have two other Klaverns in Bullock County (Exhibit No. 42).

Also in the State of Alabama, in Anniston, is a Klavern of the Dixie Klans, which I have previously identified as having its headquarters in Chattanooga, Tennessee (Exhibit No. 43).

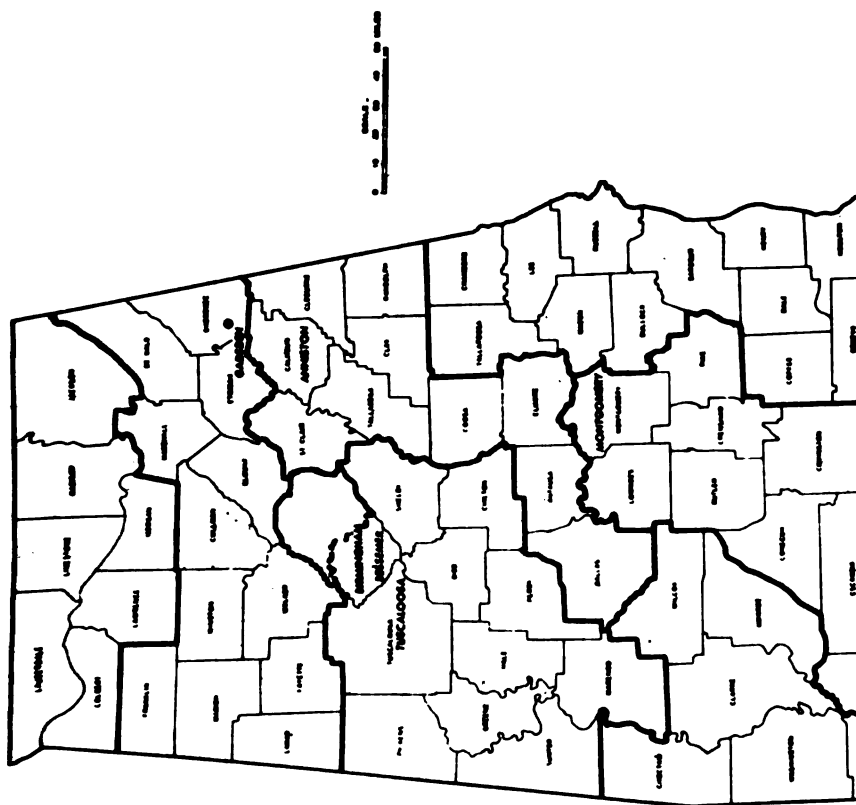
This is a listing of the Klaverns of the United Klans of America, with county, city, and cover name.

[COMMITTEE EXHIBIT No. 40]

UKA ALABAMA



[COMMITTEE EXHIBIT No. 41]



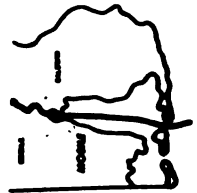
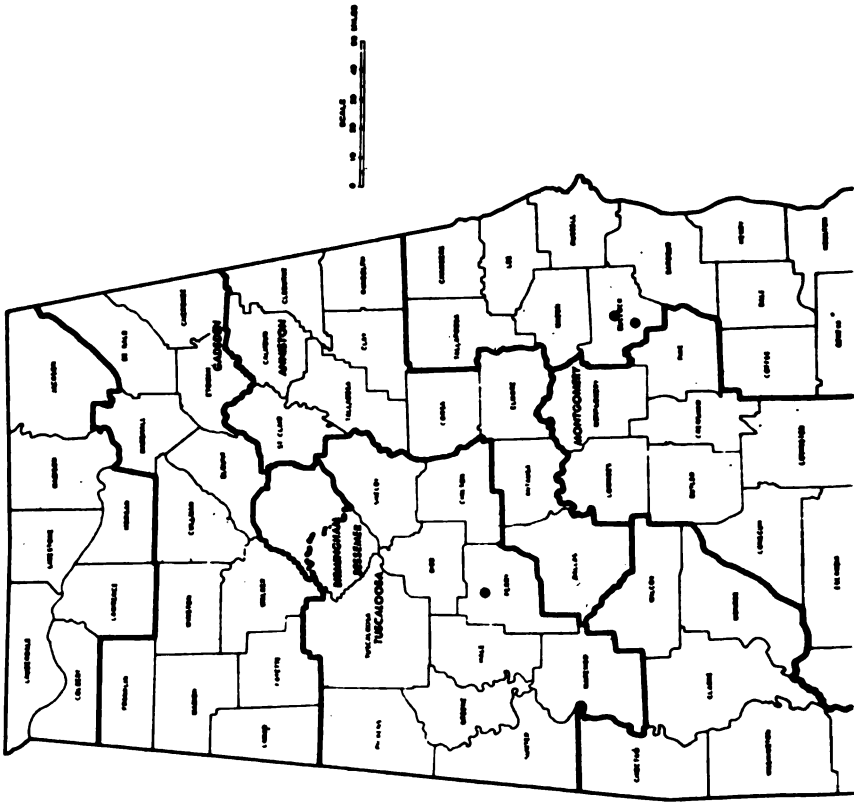
NAT K. ALABAMA



[COMMITTEE EXHIBIT NO. 42]

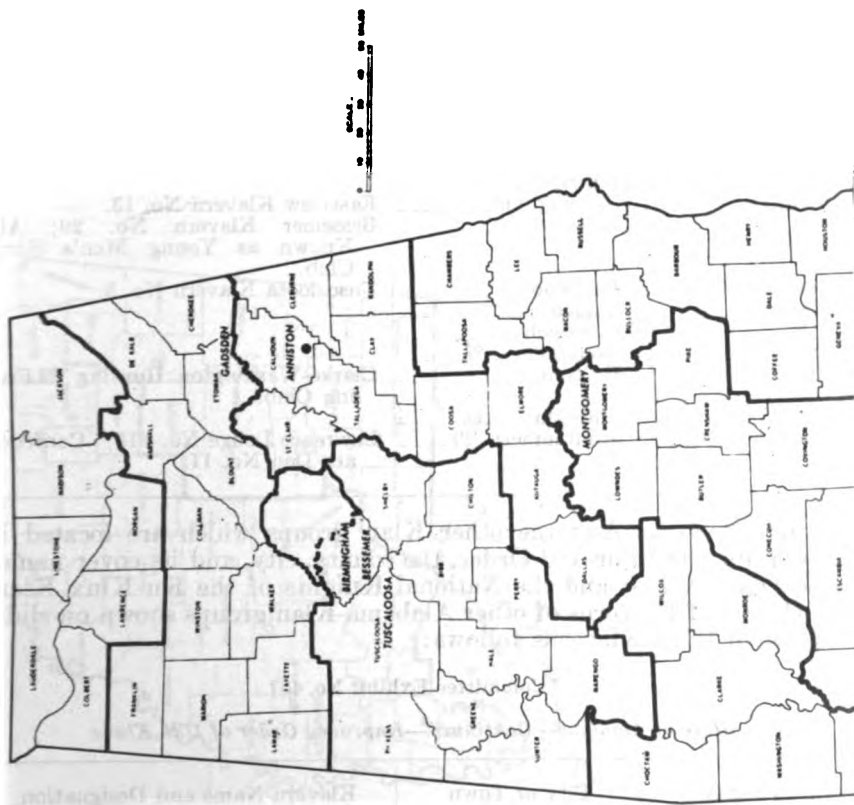
*Improved Order
of U. S. Klans*

ALABAMA



[COMMITTEE EXHIBIT No. 43]

Dixie ALABAMA



(Chart of UKA Klaverns in Alabama shown on slide. A list of the Klaverns follows:)

[Committee Exhibit No. 44]

State of Alabama—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Lawrence.....	Moulton.....	Fort Payne Klavern.
Morgan.....	Decatur.....	
De Kalb.....	Fort Payne.....	
Jefferson.....	{Warrior.....	
	{Birmingham.....	Eastview Klavern No. 13. Bessemer Klavern No. 20; Also Known as Young Men's Social Club.
	{Bessemer.....	
Tuscaloosa.....	Tuscaloosa.....	Tuscaloosa Klavern No. 5.
Marengo.....	{Linden.....	
	{Demopolis.....	Clarke-Washington Hunting & Fish- ing Club.
Butler.....	Greenville.....	
Clarke.....	Jackson.....	
Etowah.....	Gadsden.....	Lawrence Lodge No. 610; Confeder- ate Den No. 11.
Montgomery.....	Montgomery (2).....	

Mr. MANUEL. And the other Klan groups which are located in the State, the Improved Order, the county, city, and its cover name; the Dixie Klans; and the National Knights of the Ku Klux Klan. (Chart of Klaverns of other Alabama Klan groups shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 45]

State of Alabama—Continued—Improved Order of U.S. Klans

County	City or Town	Klavern Name and Designation
Perry.....	Heiberger.....	U.S. Klavern No. 33.
Bullock.....	Union Springs (2).....	

Dixie Klans, Inc.—Knights of the Ku Klux Klan

Calhoun.....	Anniston.....	
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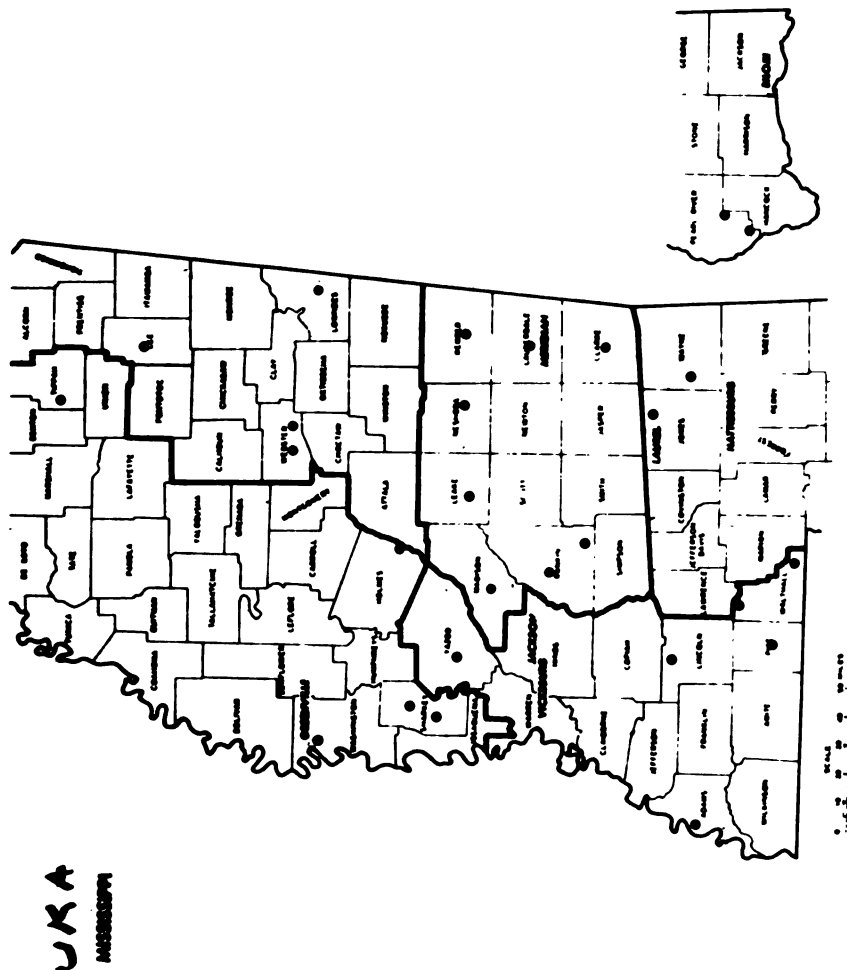
National Knights of the Ku Klux Klan, Inc.

Cherokee.....	Centre.....	
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Mr. MANUEL. The next State the staff would like to cover is the State of Mississippi, shown as follows on these maps.

(Maps of Mississippi shown on slides. See Committee Exhibits Nos. 46 and 47, pp. 1581, 1582.)

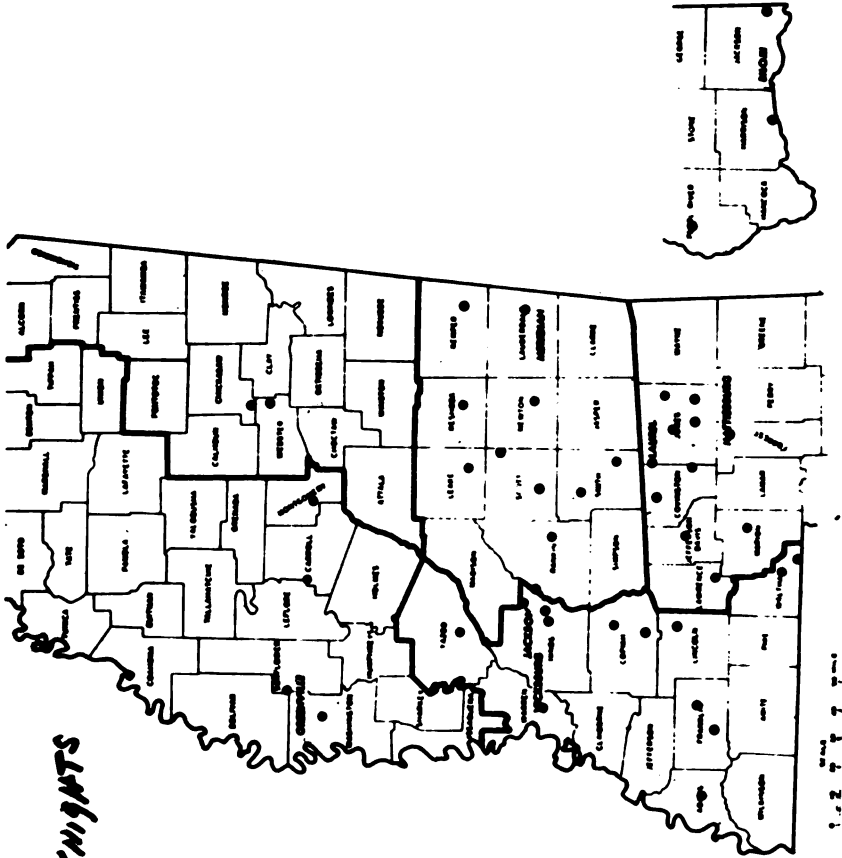
[COMMITTEE EXHIBIT No. 46]



U R A
MISSISSIPPI

[COMMITTEE EXHIBIT No. 47]

WHITE KNIGHTS
MISSISSIPPI



Mr. MANUEL. In Mississippi there are two main groups, two main Klan organizations in existence at this time.

The red dots show the locations of Klaverns of the United Klans of America in the limits of the respective counties in which they are located (Exhibit No. 46).

The next Klan group, previously identified by Mr. Appell as an independent Klan group, operating solely in the State of Mississippi, is the White Knights of the Ku Klux Klan and their Klavern locations, the committee investigation has shown, are as follows in the counties in which they are located (Exhibit No. 47).

Here is a separate listing of the United Klans of America Klaverns, showing county, city or town, and designation.

(Charts of UKA Klaverns in Mississippi shown on slides. A list of these Klaverns follows:)

[Committee Exhibit No. 48]

State of Mississippi—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Adams	Natchez	Adams County Civic & Betterment Association No. 719.
Pike	McComb	McComb Klavern No. 700; Also Known as South Pike Marksman-ship Association.
Lincoln	Brookhaven	Brookhaven Klavern No. 701.
Walthall	Improve	
Lawrence	Jayess	
Jones	Laurel	
Wayne		Wayne County Unit.
Pearl River	McNeill	
Clarke	Picayune	Pearl River County Unit No. 702.
Rankin	Quitman	
Madison	Puckett	Rankin County Klavern No. 703
Yazoo	Brandon	Rankin County Unit No. 726.
Sharkey	Canton	
Washington	Yazoo City	
Holmes	Rolling Fork	
Leake	Delta City	
Neshoba	Greenville	
Kemper	Durant	
Lauderdale	Carthage	
Lowndes	Philadelphia	
Lee	De Kalb	
Tippah	Meridian	Meridian Unit No. 720.
Webster	Columbus	
	Tupelo	
	Ripley	
	Mathiston	
	Eupora	

Mr. MANUEL. And following is a listing of the White Knights of the Ku Klux Klan, which exists only in the State of Mississippi. That is as follows.

(Charts of Klaverns of the White Knights of the KKK, Mississippi, shown on slides. A list of these Klaverns follows:)

[Committee Exhibit No. 49]

State of Mississippi—Continued—White Knights of the Ku Klux Klan of Mississippi

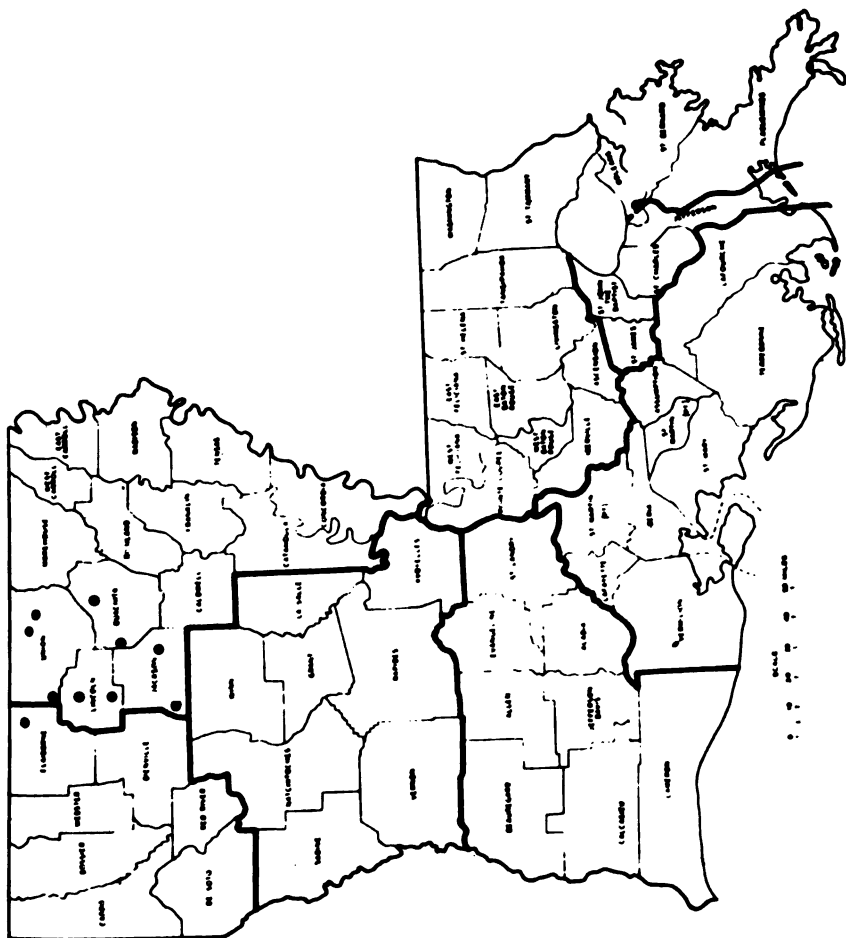
County	City or Town	Klavern Name and Designation
Adams.....	Natchez.....	
Franklin.....	{ Meadville.....	
Lincoln.....	{ Bunkley Community.....	
Copiah.....	{ Brookhaven.....	Bogue Chitto Unit.
	{ Crystal Springs.....	Copiah Rod & Gun Club Klavern.
	{ Wesson.....	
Lawrence.....	Monticello.....	
Walthall.....	Salem.....	
Marion.....	Columbia.....	
Jefferson Davis.....	Prentiss.....	
	{ Mount Olive.....	
Covington.....	{ Collins.....	
	{ Hot Coffee.....	
	{ Laurel.....	The Bogue Homa Hunting & Fishing Club.
Jones.....	{ Ellisville (2).....	The Wolf Pack Unit.
	{ Soso.....	
Forrest.....	Hattiesburg.....	
Pearl River.....	Crossroads.....	Pearl River Gun & Rod Club.
Harrison.....	Gulfport.....	
Jackson.....	Pascagoula.....	
Smith.....	{ Polkville.....	
	{ Raleigh.....	
Rankin.....	{ Brandon.....	
	{ Forest Hill.....	
Hinds.....	{ Jackson (3).....	
Warren.....	{ Vicksburg.....	
Scott.....	{ Sebastopol.....	
	{ Morton.....	
Newton.....		Newton County Unit.
Lauderdale.....	Meridian.....	Meridian Klavern.
Neshoba.....	Philadelphia.....	
Leake.....	Carthage.....	
Yazoo.....	Yazoo City.....	
Sharkey.....	Rolling Fork.....	
Washington.....	Greenville.....	
Leflore.....	Greenwood.....	
Bolivar.....	Shaw.....	
Montgomery.....	Winona.....	
Webster.....	Mantee.....	
Chickasaw.....	Woodland.....	

Mr. MANUEL. The next State the staff would like to cover is the State of Louisiana.

(Maps of Louisiana shown on slides. See Committee Exhibits Nos. 50 through 52, pp. 1585-1587.)

Mr. MANUEL. The first Klan group we would like to introduce by means of the red dots is the United Klans of America, who, up until recently, confined their activities to the north central portion of the State of Louisiana (Exhibit No. 50).

[COMMITTEE EXHIBIT No. 50]

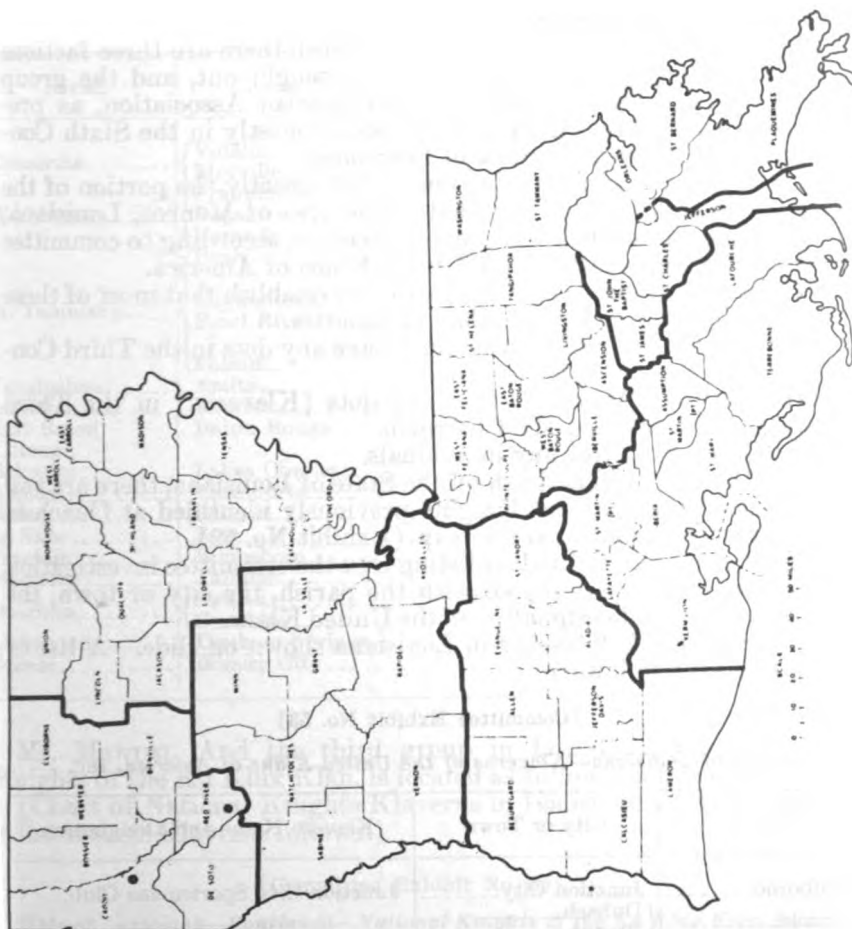


U K A
LOUISIANA

[COMMITTEE EXHIBIT No. 51]

ORIGINAL
LOUISIANA

[COMMITTEE EXHIBIT No. 52]



NAT KNIGHTS
LOUISIANA

As previously identified by Mr. Appell, another organization exists, mainly in the State of Louisiana, known as the Original Knights of the Ku Klux Klan, and the locations of their Klaverns, as far as the committee investigation has determined, is shown on the map by means of these purple dots (Exhibit No. 51).

The committee investigation has shown that as far as the Original Knights of the Ku Klux Klan are concerned, there are three factions within this group, which will later be brought out, and the group whose name is the Anti-Communist Christian Association, as previously identified by Mr. Appell, is located mostly in the Sixth Congressional District of the State of Louisiana.

Another fact I wish to bring out is that recently the portion of the Original Knights which operated in the area of Monroe, Louisiana, and included most of this group, has recently, according to committee investigation, gone over to the United Klans of America.

If you want to superimpose this, we can establish that most of these now are Klans of the United Klans of America.

The CHAIRMAN. I notice you don't have any dots in the Third Congressional District, which is mine.

Mr. MANUEL. We didn't find any dots [Klaverns] in the Third Congressional District, Mr. Chairman.

The CHAIRMAN. Nor any individuals.

Mr. MANUEL. And to finish off the State of Louisiana, there are two Klaverns of the National Knights previously identified at Ouachita and Shreveport, shown on the map (Exhibit No. 52).

Again, here is an individual listing that the committee investigation has determined. It is shown with the parish, the city or town, the Klavern name, and designation of the United Klans.

(Chart of UKA Klaverns in Louisiana shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 53]

State of Louisiana—Klaverns of the United Klans of America, Inc.

Parish	City or Town	Klavern Name and Designation
Claiborne.....	Junction City.....	Junction City Sportsmans Club.
Lincoln.....	{ Dubach.....	
	{ Ruston.....	
Jackson.....	{ Jonesboro.....	
	{ Chatham.....	Chatham Hunting & Fishing Club.
Ouachita.....	{ Calhoun.....	
	{ Monroe.....	Monroe Hunting & Fishing Club.
	{ Farmerville.....	
Union.....	{ Marion.....	Marion Hunting & Fishing Club.
	{ Bernice.....	Bernice Sportsmans Club.
Orleans.....	New Orleans.....	New Orleans Klavern.

Mr. MANUEL. Going to the organization known as the Original Knights, of which there are three factions, and consolidating them under one heading, we have the identities by parish, city and town, and Klavern designation.

(Chart of Klaverns in Louisiana of Original Knights shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 54]

State of Louisiana—Continued—Original Knights of the Ku Klux Klan

Parish	City or Town	Klavern Name and Designation
Concordia.....	{ Vidalia.....	Bush Hunting & Fishing Club No. 1055.
	{ Morville.....	
	{ Franklinton.....	
Washington.....	{ Bogalusa.....	
	{ Varnado.....	
	{ Bush.....	Pearl River Hunting & Fishing Lodge No. 1028.
St. Tammany.....	{ Covington.....	
	{ Pearl River.....	Christian Constitutional Crusaders.
	{ Folsom.....	
Tangipahoa.....	Amite.....	
Jefferson.....	Kenner.....	
East Baton Rouge.	Baton Rouge.....	
Calcasieu.....	Lakes Charles.....	
Rapides.....	Alexandria.....	
Grant.....	Pollock.....	
La Salle.....	Jena.....	
Franklin.....	Winnsboro.....	
Madison.....	Tallulah.....	
Ouachita.....	{ Swartz.....	
	{ Ouachita.....	
Livingston.....	Denham Springs.....	
Bossier.....	Bossier City.....	

Mr. MANUEL. And the third group in Louisiana, the National Knights of the Ku Klux Klan, is located as follows on this chart.

(Chart of National Knights Klaverns in Louisiana shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 55]

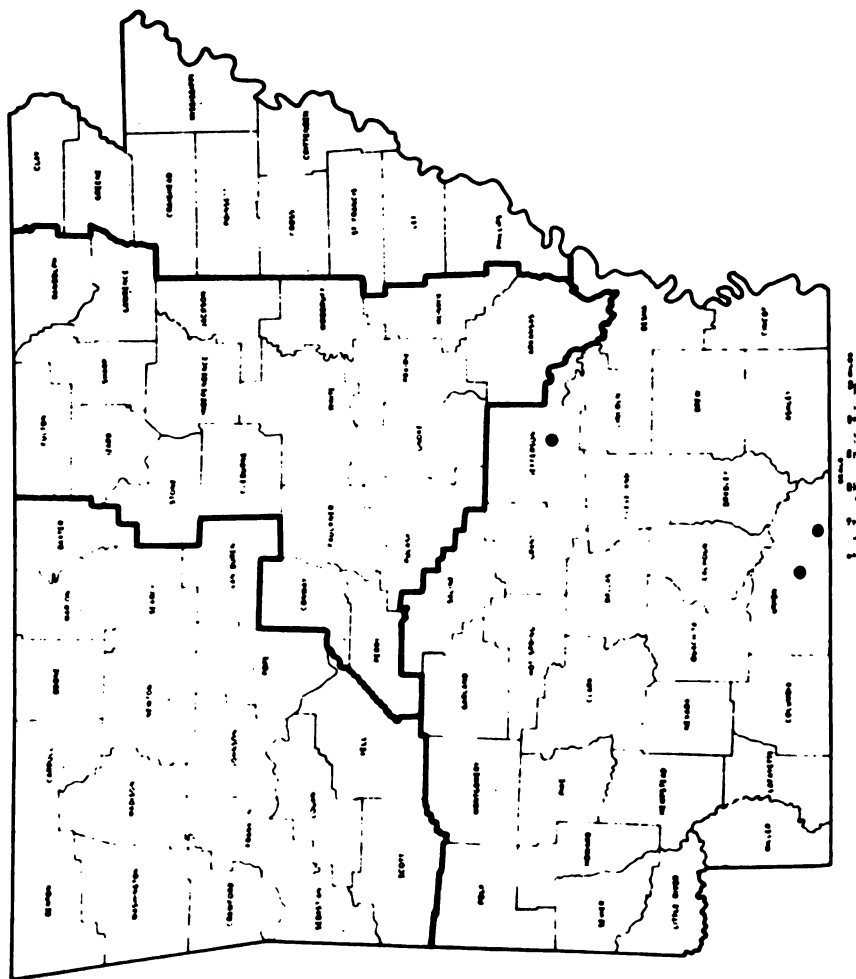
State of Louisiana—Continued—National Knights of the Ku Klux Klan, Inc.

Parish	City or Town	Klavern Name and Designation
Caddo.....	Shreveport.....	
Red River.....	Coushatta.....	

Mr. MANUEL. The next State which will be covered by this presentation is the State of Arkansas.

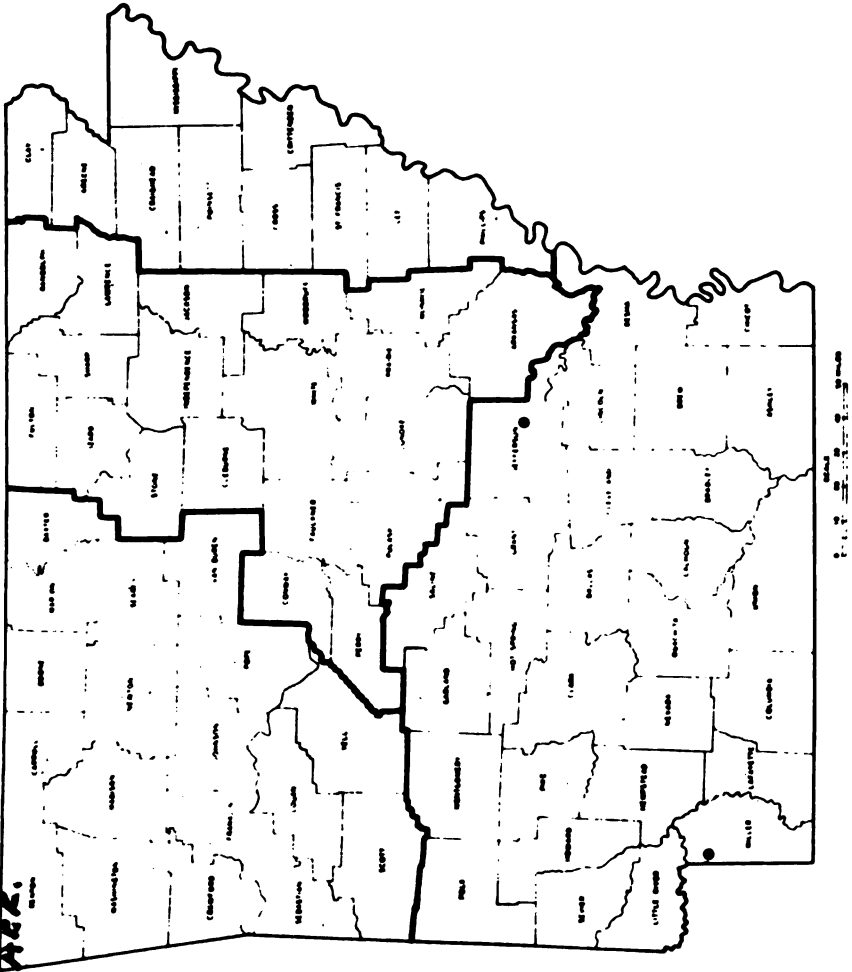
(Maps of Arkansas shown on slides. See Committee Exhibits Nos. 56 and 57, pp. 1590, 1591.)

[COMMITTEE EXHIBIT No. 56]



[COMMITTEE EXHIBIT NO. 57]

ASSOC. OF
ARKANSAS



Mr. MANUEL. Committee investigation has revealed that recently the United Klans of America has appointed a Grand Dragon for the State of Arkansas who operates in the vicinity of Strong, Arkansas. And committee investigation has revealed that three Klaverns of the United Klans of America exist in the State of Arkansas in the areas designated on the map (Exhibit No. 56).

Also in the State of Arkansas, previously identified by Mr. Appell, is an organization known as the Association of Arkansas Klans. Committee investigation has found that they have two Klaverns in the State, one located at Pine Bluff, Arkansas, and the other at Texarkana (Exhibit No. 57).

A separate listing of the Klaverns of Arkansas is as follows in the cities listed. The one at Strong, Arkansas, is the State headquarters of the UKA in that State.

(Chart of Klaverns in two Klan groups in Arkansas shown on slide. A list of these Klaverns follows:)

[Committee Exhibit No. 58]

State of Arkansas—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Jefferson..... Union.....	Pine Bluff..... { El Dorado..... Strong.....	

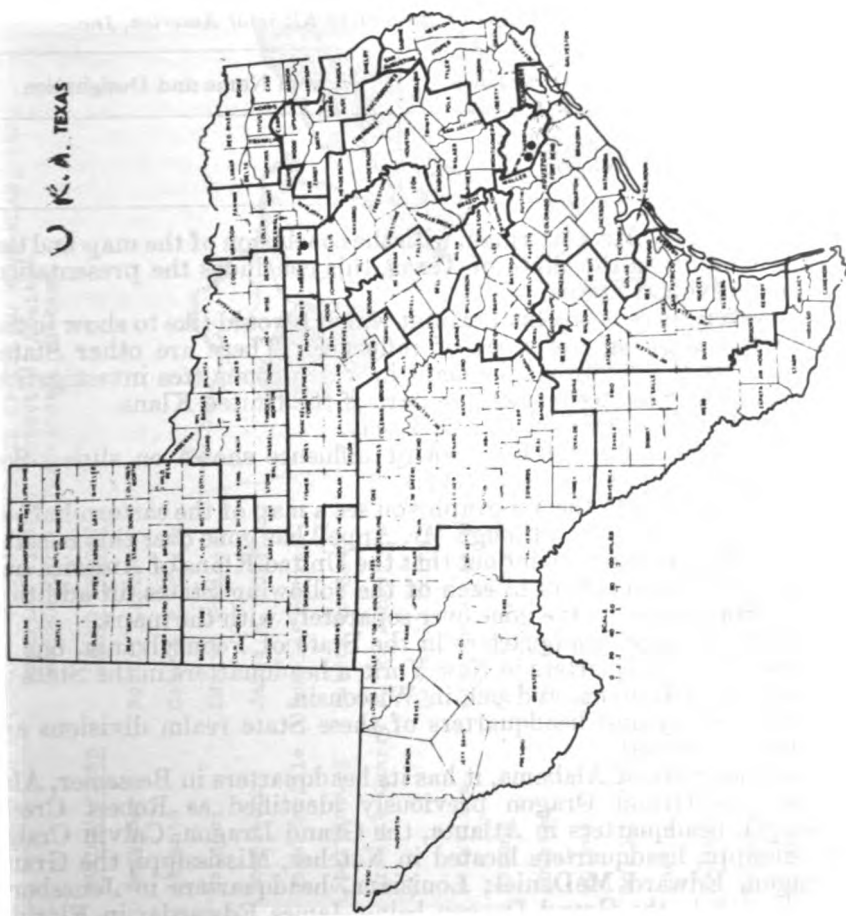
Association of Arkansas Klans

Jefferson..... Miller.....	Pine Bluff..... Texarkana.....	
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Mr. MANUEL. The next State the committee staff would like to cover is the State of Texas, where committee investigation has found that recently there has been some activity on the part of the United Klans of America, having established a State headquarters in the area of Houston, Texas, with two separate Klaverns being noted in this area and one also in Dallas, Texas.

(Map of Texas shown on slide. See Exhibit No. 59, p. 1593.)

[COMMITTEE EXHIBIT No. 59]



Mr. MANUEL. A listing of these Klaverns is as follows for the State of Texas.

(Chart of UKA Klaverns in Texas shown on slide. A list of these follows:)

[Committee Exhibit No. 60]

State of Texas—Klaverns of the United Klans of America, Inc.

County	City or Town	Klavern Name and Designation
Dallas.....	Dallas.....	
Harris.....	Houston.....	

Mr. MANUEL. Mr. Chairman, with the conclusion of the map and the other exhibits on the State of Texas, this concludes the presentation of the individual States.

However, there is one final exhibit which I would like to show to the committee showing the areas of influence. There are other States which were not shown on the maps in which committee investigation has revealed some activity on the part of the United Klans.

I would like to explain this, if I may.

(Map delineating KKK's area of influence shown on slide. See Committee Exhibit No. 61, p. 1595.)

Mr. MANUEL. On the Vu-graph you see a map of the eastern half of the United States, and although Mr. Appell has gone over this in some detail, I would like to point out that the United Klans of America has established headquarters in each of the following States, in addition to the States that I have gone over separately with the maps.

They have now headquarters in the State of Pennsylvania, one in Delaware, a headquarters in New York, a headquarters in the State of Ohio, one in Indiana, and one in Wisconsin.

The identity and headquarters of these State realm divisions are shown as follows:

For the State of Alabama, it has its headquarters in Bessemer, Alabama, the Grand Dragon previously identified as Robert Creel; Georgia, headquarters in Atlanta, the Grand Dragon, Calvin Craig; Mississippi, headquarters located in Natchez, Mississippi, the Grand Dragon, Edward McDaniel; Louisiana, headquarters in Jonesboro, of the UKA, the Grand Dragon being James Edwards; in Florida, the headquarters is Jacksonville and the Grand Dragon is Donald Cothran; South Carolina has its UKA headquarters in Spartanburg and its Grand Dragon is Robert Scoggin; North Carolina, headquarters in Granite Quarry, and its Grand Dragon is J. R. Jones; in the State of Virginia, to the best of the committee's information, at this time they have not established a definite State headquarters. However, its Grand Dragon is Marshall R. Kornegay. The Realm of Tennessee has its headquarters in Maryville, Tennessee, and its Grand Dragon is Raymond Anderson. The State of Arkansas has its headquarters in Strong, Arkansas, and its Grand Dragon is George McNeely. The State of Texas has its headquarters in Houston and its Grand Dragon is George Otto. The State of Ohio has its headquarters in Columbus, Ohio, and its Grand Dragon is Flynn Harvey. The

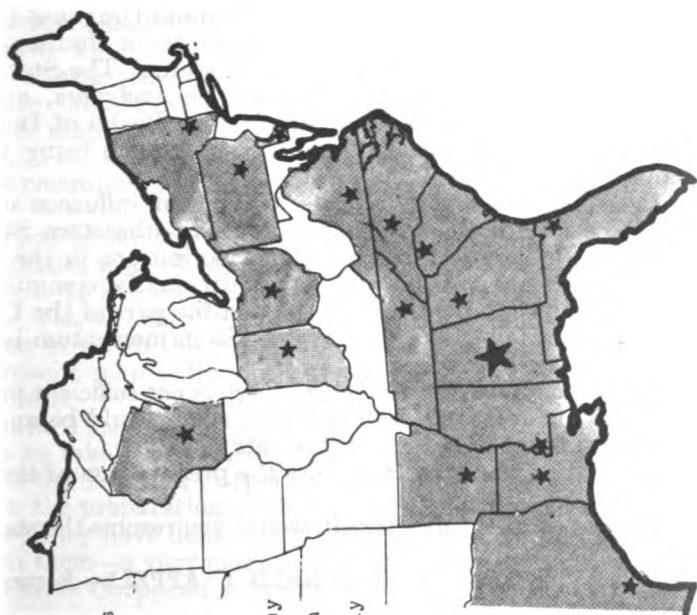
[COMMITTEE EXHIBIT No. 61]

UNITED KLANS OF AMERICA - KNIGHTS OF THE KU KLUX KLAN, INC.

Imperial Wizard: Robert M. Shelton

Headquarters: Tuscaloosa, Alabama

<u>REALM</u>	<u>HEADQUARTERS</u>	<u>GRAND DRAGON</u>
Alabama	Bessemer	Robert Creel
Georgia	Atlanta	Calvin F. Craig
Mississippi	Natchez	Edward McDaniel
Louisiana	Jonesboro	James M. Edwards
Florida	Jacksonville	Donald Cothran
So. Carolina	Spartanburg	Robert Scoggin
No. Carolina	Granite Quarry	J. R. Jones
Virginia		Marshall Kornegay
Tennessee	Maryville	Raymond Anderson
Arkansas	Strong	George A. McNeely
Texas	Houston	George Otto
Ohio	Columbus	Flynn Harvey
Delaware	So. Wilmington	Ralph Pryor
New York	Queens	Daniel Burros
Wisconsin	Madison	John P. Reading
Pennsylvania	Reading	Roy Frankhouser
Indiana	Greenfield	Claude Parnell



State of Delaware has its headquarters in south Wilmington and its Grand Dragon, at this time, is Ralph Pryor. The State of New York has its headquarters in Queens, and its Grand Dragon is Daniel Burros. The State of Wisconsin has its headquarters in Madison, and John P. Reading is the Grand Dragon of that realm. The State of Pennsylvania is headquartered in Reading, Pennsylvania, and its Grand Dragon is Roy Frankhouser. Finally, the Realm of Indiana, located at Greenfield, Indiana, with its Grand Dragon being an individual named Claude Parnell.

This final sheet will indicate an area of influence of the United Klans of America ranging through the Southeastern States. I want to make this point clear, that the organizations in the Northeastern States whose maps I did not show individually, committee investigation has shown, are recent attempts on the part of the UKA to establish headquarters and gain membership in momentum in these northeastern areas.

To the committee's knowledge, there is not sufficient membership at this time, in some cases, to establish what would be an organization compared to other parts of the country.

That, Mr. Chairman, concludes the presentation of these particular exhibits.

The CHAIRMAN. Mr. Appell, would you resume the stand, please?

TESTIMONY OF DONALD T. APPELL—Resumed

The CHAIRMAN. Would you flash back the slide on the Independent Klan Organizations?

Mr. APPELL. Mr. Chairman, I will cover all of them, but there is one thing I think of interest to the committee that I should point out. The White Knights of the Ku Klux Klan in Mississippi grew out of a split within the Original Knights of the Ku Klux Klan of Louisiana, which, in 1963, formed a realm in the State of Mississippi.

There was a leadership struggle or a disagreement with leadership, as happens so often in the Klan, and this realm membership, which was about 200 in Mississippi, broke away from the Original Knights and they formed the White Knights of the Ku Klux Klan. This was the only Ku Klux Klan organization in Mississippi until around July of 1964, when one of the leaders of the White Knights was appointed Grand Dragon of the UKA. And since that time there have been numerous defections from the White Knights into the UKA.

This Anti-Communist Christian Association—this group was also a part of the Original Knights of the Ku Klux Klan, which was basically a Louisiana organization. After the split in leadership—this group split once—it split again, and with the second split the group in the Sixth Congressional District went independent.

The group which was located up around Monroe and the Shreveport areas chartered themselves as what was known as the Original Knights of the Ku Klux Klan of America, Inc. Their purpose was to try to get all of these Klan groups together under their head. But they failed, and within the last several weeks the Knights of the Ku Klux Klan of America, Inc., went, almost en masse, into the UKA.

Then there is the Association of Arkansas Klans, which Mr. Manuel has dealt with, the Militant Knights of the Ku Klux Klan of Florida,

origin of just a few months ago, and finally the one-man Klan, the Mississippi Knights of the Ku Klux Klan, located down in Biloxi.

Is this clear, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. APPELL. Thank you, sir.

The CHAIRMAN. Mr. Manuel, I think you wanted to address yourself to this other map?

Mr. MANUEL. Yes, Mr. Chairman, I wanted to call your attention and that of the committee to the map on the wall in back of the committee.

On this map has been compiled all of the Klaverns and their locations in specific cities which I have shown in this series of exhibits.

The CHAIRMAN. It is a composite map?

Mr. MANUEL. Yes, sir; showing all the Klan groups and their locations in the area in which the committee has worked.

On that composite map is listed all of the Klaverns which I have shown on the screen.

The CHAIRMAN. Thank you very much.

I would like to take this occasion to express the appreciation of the committee to the Tecnifax Corporation for being so helpful to our staff members in the preparation of these maps and slides which have been exhibited. They have done, in my opinion—and this is the first time I have seen them—a very magnificent job and we certainly want to thank the Tecnifax Corporation for their great contribution to these hearings.

After consulting with the members, I intend to adjourn for lunch.

Mr. Pool, would you care to say anything?

Mr. POOL. Thank you, Mr. Chairman.

I think in the very short time that the committee staff had to work on this, in their investigative work, and I had a lot of experience in that during World War II—you usually need a long time to really get into the facts—I think in the very short time that this committee staff has had to work on this that they have done an excellent job. They have made a very thorough investigation.

I think the hearings to come will show that the background and history they have given here this morning are very excellent.

I want to make one other comment, that some people have said that you shouldn't have an investigation because you might even increase the membership of the Klan by having it, by giving them publicity. But in view of the maps that we have seen here and the widespread membership, I think certainly that this thing has been increasing in membership and that we certainly should look into it and Congress should be informed of this.

That is the work of this committee, to get the facts. And then if legislation is needed, we will see about that, too.

Thank you.

The CHAIRMAN. Mr. Weltner?

Mr. WELTNER. Thank you, Mr. Chairman.

I have been very interested in this investigation and I am convinced that the matters to come forth as a result of this will be of great interest to the South and to the people of the South.

I join my colleague, Mr. Pool, in commending our staff. I think they have done a particularly outstanding duty. It has not been easy; it

has not been pleasant. But they have given it their entire time and attention.

I simply wish to say that these hearings will fully justify the decision made by the House Committee on Un-American Activities on March 30 to proceed with this most important inquiry.

The CHAIRMAN. Mr. Ashbrook?

Mr. ASHBROOK. Thank you, Mr. Chairman. I will associate myself with what has been said. But I would like to make one additional point. The House Committee on Un-American Activities, of course, is a different committee, dealing with hostile subjects. It may seem that this was a little tedious, a little drawn out. But those of us who have been associated with this for about 10 months now realize that we have merely scratched the surface.

Our committee has but one real means of determining the facts and deducing information. Because we deal with hostile subjects—whether they be communism, travel to Cuba, or the Ku Klux Klan—we have to develop, through thorough investigation, the information for our committee. This is done by firsthand reports. It is done by conferring with other agencies of the Government, such as the FBI.

In the case of the Ku Klux Klan, as in previous investigations, it will be based on bit-by-bit piecing-together of all the parts as we gather them. This requires a lot of work.

There has been 10 months of hard work that has already gone into this investigation, and only those of us who have been intimately connected with it have any realization of the thousands of hours of work which have gone into the staff preparation to this point. Actually, the chairman has stated there are 20,000 man-hours which have gone into this work. As in the past, we will develop the record bit by bit, piece by piece, on the basis of concrete, provable information.

I point this out because sometimes it has been alleged that we were dragging our feet. It took 10 full months before we could reach this point. I certainly commend the staff. There is no question in my mind on the basis of the information that I have seen to date that we are going to be able to present this in a proper perspective, and we are going to be able to show the need for remedial legislation.

I hope that as the months drag out—and I am afraid this will run into months—we will recognize that in bringing forth testimony sometimes it will seem tedious, sometimes it will seem trivial.

This committee has been very successful in the past in developing information, developing the whole picture on a piece-by-piece, bit-by-bit technique. As a matter of fact, again dealing with the hostile subject, this is the only way we have been able to do it.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Buchanan?

Mr. BUCHANAN. Thank you, Mr. Chairman.

I want to join with the others in saying how much I appreciate this thorough and excellent job done by the investigative staff.

My interest in this investigation is that of one who loves the South and its people and who understands that, while the South is not inhabited by angels, it is inhabited by people who are law-abiding Americans and who, in overwhelming majority, deplore acts of violence or terrorism. The people who have been guilty of the commis-

sion of such acts are, in fact, the greatest enemies to the people of the South.

I want to underline, therefore, Mr. Chairman, both as a Southerner and as a member of this committee, something you said a few moments ago when you were introducing this hearing or beginning it—that he who has nothing to hide has nothing to fear.

We are not here to convict or prosecute people. We are here to get the truth and to follow the truth wherever it may lead us and to draw conclusions from that truth. Therefore, unless a man has something to hide from the Congress or the American people or from even the rank-and-file members of the Klan organization, he has nothing to fear or no reason to hesitate in giving testimony before this committee. Only those who have something to hide or to fear stand hesitant to let the full light of truth be cast upon their activities. This is true of the members of the Klans as of any other outfit.

So, as a Southerner and as a member of this committee, I am glad to be a part of this investigation and feel we are doing something not only for the Nation but for the South in conducting it.

The CHAIRMAN. Though not a member of the subcommittee yet equally interested, Mr. Ichord, from Missouri.

We appoint subcommittees for convenience, because of the necessity for a quorum at all times. But the full committee members are all interested in this work.

Mr. Ichord.

Mr. ICHORD. Mr. Chairman, I would like to take this opportunity to commend the staff and the subcommittee for the very obvious extensive and thorough work which the staff and the subcommittee have done in bringing about these public hearings.

I know that the subcommittee has spent many hours in executive hearings, which is required by the rules of the House and by the rules of this committee before public hearings can be held.

I compliment the staff and the committee for the work that you have done. I am very interested in seeing just what these public hearings develop.

The CHAIRMAN. And from the West, Mr. Senner, of Arizona.

Mr. SENNER. Mr. Chairman, the hour is late. I will not add too much to the record, other than to say that I join my colleagues in their remarks today.

The CHAIRMAN. The committee will stand in recess until 1:30.

(Members present at time of recess: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan, of the subcommittee, and also Representatives Ichord and Senner.)

(Whereupon, at 12 noon, Tuesday, October 19, 1965, the subcommittee recessed, to reconvene at 1:30 p.m. the same day.)

AFTERNOON SESSION—TUESDAY, OCTOBER 19, 1965

(The subcommittee reconvened at 1:30 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Members present: Representatives Willis, Pool, Weltner, and Buchanan, of the subcommittee, and also Representative Senner.)

The CHAIRMAN. The subcommittee will please come to order.

Let me say that the subcommittee appreciates the attitude and decorum of the audience, our guests. We welcome you here and we are glad to have you.

I wish to state that the general counsel of this committee is Mr. William Hitz, who, for some 30 years before he became attached to the committee some time ago, was connected with the Department of Justice here in Washington. Mr. Hitz is an outstanding attorney, and it had been anticipated that he would conduct the interrogation, or most of it, anyway. But a couple of weeks ago he was told by his physician to take it easy for a couple of weeks.

He is with us, immediately to my left and in front of me, and will be with us during the hearings, but will not take the burden, the chief burden, of examining the witnesses. Instead, the witnesses, for the most part, will be interrogated by Mr. Appell and Mr. Manuel.

As a matter of fact, Mr. Appell is an old hand at that—at interrogating witnesses. Furthermore, up until some years ago it was the custom of this committee, as it is with many others, to have a lay member of the staff do the interrogation. Mr. Appell has done that innumerable times in the last few years in executive sessions and very frequently in open sessions prior to that.

So with that, Mr. Appell, will you please call your first witness?

Mr. APPELL. Mr. Chairman, I would like to call Mr. Robert M. Shelton.

The CHAIRMAN. The news media will please desist.

Please raise your right hand, sir.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SHELTON. I will affirm. I won't swear, but I will affirm.

The CHAIRMAN. What is that?

Mr. SHELTON. I said not swear, but to affirm.

The CHAIRMAN. You do not swear, but you do affirm. I have to propose a different oath.

Do you affirm, having declined to swear, that you will tell the truth, the whole truth, and nothing but the truth in these hearings?

Mr. SHELTON. I do.

TESTIMONY OF ROBERT MARVIN SHELTON, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Shelton, will you state your full name for the record, please?

Mr. CHALMERS. Mr. Chairman, I am Lester V.——

The CHAIRMAN. We will develop that. That is introductory.

Mr. APPELL. Mr. Shelton, will you state your full name for the record, please?

Mr. SHELTON. Robert Marvin Shelton.

Mr. APPELL. Are you represented by counsel?

Mr. SHELTON. I am, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., from North Carolina, a member of the North Carolina Bar.

Mr. APPELL. Mr. Shelton, when and where were you born?

Mr. SHELTON. Tuscaloosa, Alabama, in June of 1929.

Mr. APPELL. Mr. Shelton——

The CHAIRMAN. At this point, I wish to do what I did this morning. It is customary. You heard me say this morning that under the

rules of the House the function of the news media, specifically the TV and radio, and photograph-taking, was limited, under the rules of the House, and that under the rules of the House the audience, of course, was required to keep good order and decorum.

(At this point Representative Ashbrook entered the hearing room.)

The CHAIRMAN. I want to read the rules of the committee which, of course, carries out the rules of the House, with respect to the function of counsel before this committee.

[A] At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

[B] The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his activity to the area of legal advice to his client.

Sir, I read that to you not with any thought that I expect or suppose or have a notion that you will do otherwise, but we must proceed according to the rules of the House, and I am carrying them out.

Thank you very much.

By the way, we now have another member of our full committee here, Mr. Del—Congressman Del Clawson.

We are glad to have you, Del.

Mr. APPELL. Mr. Shelton, are you appearing before the committee this afternoon in accordance with a subpoena served upon you by a United States marshal on October 11, 1965?

Mr. SHELTON. Yes, somewhere in the neighborhood of that date.

Mr. APPELL. Mr. Shelton, I hand you a document, a copy of a document, which the committee obtained from the secretary of state's office of the State of Georgia. It is entitled "Certified Statement for Annual Registration of a Corporation." It is dated September 15, 1964. The name of the corporation is set forth on the registration statement and is the "Invisible Empire United Klans Knights Ku Klux Klan of America, Inc.," signed "Robert M. Shelton," president, dated September 10, 1964.

I ask you to look at this document, sir, and to answer whether or not this is a copy of a document filed by you?

Mr. SHELTON. Sir, is this question directed to me as an individual or is it directed to me as an officer of a corporation?

Mr. APPELL. It is directed to you, as the document implies, as president of that corporation.

Mr. SHELTON. Could I talk to my counsel, please?

Mr. APPELL. Surely.

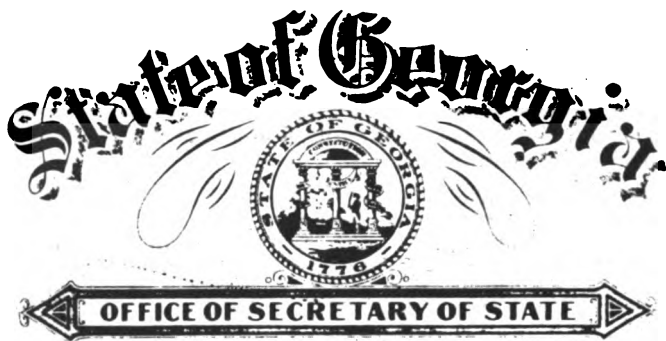
(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 7, 1965—

Mr. APPELL. Mr. Shelton—

Mr. SHELTON. —for that information is not relevant and germane to the subject under investigation, and the same will not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the Rules Committee, adopted by the 89th Congress, or House Resolution 8, adopted January 4, 1965.

(Document marked "Robert Shelton Exhibit No. 1" follows:)



I, Ben M. Fortson, Jr., Secretary of State of the State of Georgia, do hereby certify, that

the one page of photographed printed matter hereto attached is a true and correct copy of the last statement for annual registration filed in this office by INVISIBLE EMPIRE UNITED KLANS KNIGHTS KU KLUX KLAN OF AMERICA, INC. on the 15th day of September, 1964, as the same appears of file and record in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of office, at the Capitol, in the City of Atlanta, this 23rd day of April, in the year of our Lord One Thousand Nine Hundred and Sixty Five and of the Independence of the United States of America the One Hundred and Eighty-ninth.

Ben M. Fortson

SECRETARY OF STATE, EX-OFFICIO CORPORATION
COMMISSIONER OF THE STATE OF GEORGIA.

ROBERT SHELTON EXHIBIT No. 1—Continued

Form F-3

STATE OF GEORGIA

SEPT 15 1961

CERTIFIED STATEMENT FOR ANNUAL REGISTRATION OF A CORPORATION

NAME OF CORPORATION: Invisible Empire United Klans Knights Ku Klux Klan of America, Inc.
 PRESIDENT: Robert S. Shelton

PRINCIPAL OFFICE: (Street and No.) Suite 401 Alston Bldg. CITY: Tuscaloosa STATE: Ala.
 PRINCIPAL OFFICE IN GA.: (St. and No.) 772 Pearce Street CITY: Atlanta, Georgia

AUTHORIZED AGENT IN GA. (If foreign): Calvin F. Craig

AGENT'S ADDRESS (If foreign): 772 Pearce Street CITY: Atlanta, Georgia

NATURE OF BUSINESS: Fraternal, Patriotism, Benevolent Society

WHEN INCORPORATED (Date): Feb. 21, 1961 BEGAN BUSINESS IN GA. (Date): Feb. 21, 1961

WHERE INCORPORATED (CITY): FULTON COUNTY STATE: Ga.

BY WHAT AUTHORITY: Judge of the Superior Court, Atlanta Judicial Circuit

TO THE HONORABLE BEN W. FORTSON, JR., Atlanta, Ga.

I hereby certify that the above statement furnished the Secretary of State of the State of Georgia for record, as required by law, is correct.

DATE: Sept 12 1961 10 61

TITLE

(OVER)

The CHAIRMAN. This document, as I understand, was not ordered to be produced here under subpoena. Is that right, Mr. Appell?

Mr. APPELL. I have only asked him whether this was a document, a copy of a document, which he filed with the secretary of state of Georgia. I have not asked for the production of any documents called for by his subpoena, sir.

The CHAIRMAN. Thus far.

Mr. APPELL. Thus far; yes, sir.

(Witness confers with counsel.)

Mr. SHELTON. I would like to call your attention to the scope of the investigation, as declining to deliver to the committee any records, documentations or otherwise, material requested by this committee under subpoena dated October 7, 1965, for that information is not relevant or germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress or by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to answer the question.

The CHAIRMAN. Yes.

This document, the production and identification of this document, is completely germane and proper to the subject under inquiry and is part of the necessary material required to perform our duties in this investigation.

I, therefore, order and direct you to answer the question.

Let me tell you why I do that, why I use those words, so you can understand. You have counsel and you may take his advice. The decisions of the Supreme Court of the United States indicate and hold that when this committee concludes or determines that an answer to a question is proper that, to be perfectly frank about it, if the subject may result in a citation for contempt, that the witness must be directed to answer the question.

In other words, it is, in effect, a warning.

Mr. Witness, you are on thin ice. Your refusal to answer that question may lead to contempt citation. I will not have to repeat that over and over again, that there may be further implications.

Therefore, I order and direct you to answer that question.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me under the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Are you now specifically invoking the privileges of the fifth amendment?

Mr. SHELTON. Sir, I am invoking the privileges of the 5th amendment, the 1st amendment, the 4th amendment, and the 14th amendment of the Constitution of the United States of America.

The CHAIRMAN. Why?

Mr. SHELTON. I decline to answer that question for the reason that I honestly feel that it might tend to incriminate me in violation of my rights, as is so stipulated and guaranteed to me in amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Do you honestly believe that to answer this simple question as to whether, in effect, you certified to the secretary of state or some other official in Georgia that you were president of a corporation would subject you to criminal prosecution, would tend to incriminate you?

Mr. SHELTON. Again I respectfully decline to answer that question for the reasons previously stated, because it is my honest and sincere feeling that my answer might tend to incriminate me in violation of my rights as guaranteed to me under the amendments 5, 1, 4, and 14th of the Constitution of the United States of America.

The CHAIRMAN. In view of the invocation of the fifth amendment, and your repeating it after I asked you if you honestly felt that it might tend to incriminate you, you, of course, are on solid ground. That is to say with respect to the invocation.

Mr. APPELL. Mr. Shelton, I hand you—

The CHAIRMAN. That does not mean that you are not going to be questioned on all the things you were going to be questioned on, even with that answer.

Go on.

Mr. APPELL. Mr. Shelton, I hand you a copy of a document obtained from the Office of Secretary of State, which is a charter application executed the 21st day of February 1961, with the incorporators listed in the document as Robert Day, George Sligh, William A. Daniel, Sr., and M. Wesley Morgan, Sr.

I ask you if this is the original incorporation paper of the organization with which you are now affiliated?

Mr. SHELTON. Sir, again, is this question directed to me as an individual, or is it directed to me as an officer of a corporation?

Mr. APPELL. It is directed to you as the president of the corporation. (Witness confers with counsel.)

Mr. SHELTON. May I further confer with my counsel, please?

The CHAIRMAN. You may.

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that any answer might tend to incriminate me in violation of my rights as guaranteed to me under amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Robert Shelton Exhibit No. 2." This exhibit will be reproduced in a forthcoming report on Klan organizations.)

The CHAIRMAN. Now ask him the question as an individual.

Mr. APPELL. Mr. Shelton, with respect to the first document, you asked whether I asked you as an individual or in your corporate capacity, and also with respect to the second document, and I specifically directed it to your position as a corporate officer.

Now let me ask you again with respect to you as an individual and the document filed with the secretary of state, the annual registration certificate.

Did you as an individual file it?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that any answer might tend to incriminate me in violation of my rights as guaranteed to me by

amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Now with respect to the second document I handed you, I ask you whether or not that is the charter of an organization which you, as an individual, now head?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that any answer that I might give would tend to incriminate me in violation of my rights as guaranteed to me under amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, I now hand you a document, which is headed "Constitution And Laws Of The United Klans Of America, Inc., Knights Of The Ku Klux Klan."

I ask whether or not this is the constitution of an organization which you now head?

Mr. SHELTON. Could I refer to my counsel, please?

(Witness confers with counsel.)

(At this point Representative Ichord entered the hearing room.)

The CHAIRMAN. What is the pending question?

Mr. APPELL. Whether or not that is the Constitution and Laws of the order, sir.

The CHAIRMAN. That is a very simple question, Mr. Shelton. You have been fiddling with that book for a long time. I order and direct you to answer that question.

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that any answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Robert Shelton Exhibit No. 3." This exhibit will be reproduced in a forthcoming report on Klan organizations.)

The CHAIRMAN. Proceed.

Mr. APPELL. May I have the document?

The CHAIRMAN. Proceed. Ask the next question.

Mr. APPELL. Mr. Shelton, this document states on its face "As amended, ratified and approved by the Imperial Kloncilium at Birmingham, Alabama, September, 1964."

The inside face of the back cover is imprinted, "By Proclamation of The Imperial Wizard, Robert M. Shelton," signed with a reproduced signature of Robert M. Shelton, "Imperial Wizard."

I would like to ask you, sir, whether or not that is your signature?

(Document handed to witness.)

Mr. SHELTON. Sir, is this question directed to me as an individual or is it directed to me as an officer of a corporation?

Mr. APPELL. In both capacities.

The CHAIRMAN. Both.

Mr. SHELTON. I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Do you feel that a proclamation signed by yourself as the Imperial Wizard incriminates you?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as is guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. You are invoking your constitutional privileges, but I feel, and I suppose the committee does, too, that this is incredible. Proceed.

Mr. APPELL. Mr. Shelton, did this document supersede a constitution and laws or manual put into effect when the organization was formed in July of 1961?

Mr. SHELTON. Sir, is this question directed to me as an individual or is it directed to me as an officer of the corporation?

The CHAIRMAN. Let me ask you—maybe you have some kind of distinction that I don't catch—why do you ask that question?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason my answer might tend to incriminate me in violation of my rights as guaranteed to me under the amendments No. 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. The committee cannot tolerate applause or demonstrations, pro or con, in these hearings.

Let me say this is serious with me. I was trying to be fair with you. I have been a lawyer for 39 years. Maybe I miss the point.

Are you drawing a distinction? You are asking us to explain in what capacity we are questioning you. I thought I had missed the point.

Mr. APPELL. The subpoena served upon you by a United States marshal on October 11, 1965, called upon you to produce, and I will quote from the subpoena attachment:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely the Alabama Rescue Service, United Klansmen of America, Whiteman's Defense Fund, Christian News Service, in your possession, custody control, or maintained by or available to you as Imperial Wizard of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

That is part 1, Mr. Chairman, and I would like to ask for a production of those documents at this time, sir.

(Witness confers with counsel.)

Mr. SHELTON. I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 7, 1965, for that information is not relevant nor germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid legislation or in any such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. I order and direct you to answer that question. Let me say, before the order, that the position of this committee is that these documents called for are very relevant, very pertinent, very appropriate and essential in connection with this investigation and, therefore, I overrule your refusal to respond to the subpoena.

So I order and direct you to answer that question.

Mr. SHELTON. Sir, I respectfully decline to turn over to this committee any records under subpoena for the reason that I honestly feel that any material that I might turn over would tend to incriminate me in violation of my rights as guaranteed to me under the amendments No. 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, do you refuse——

The CHAIRMAN. Wait a second.

As I understand, Mr. Appell, these documents that are being ordered to be produced by that subpoena, are being ordered to be produced by him as president of the corporation and as Imperial Wizard of that organization; is that correct?

Mr. APPELL. Yes, sir.

The CHAIRMAN. Mr. Appell, your answer to my question is in the affirmative; is that correct?

Mr. APPELL. Yes, sir.

The CHAIRMAN. All right.

Now, Mr. Shelton, this subpoena is an order for you to produce documents in your possession in the capacity of president, as well as Imperial Wizard, of your organization. This has nothing to do with your refusal to answer a question. This is an order to produce documents pursuant to a subpoena duces tecum. Of course, the fifth amendment invocation is improper under these circumstances.

Furthermore, and for other reasons, why the invocation is improper is when documents are ordered to be produced before a court or before a committee, the court or the committee has a right to inspect those documents and find out more about their contents, their pertinency, their scope and nature and so forth.

Therefore, your invocation of the fifth amendment the Chair rules improper, and you are now ordered and directed to produce the documents requested and demanded by the subpoena in the capacity I have described.

(Witness confers with counsel.)

Mr. APPELL. There is a direction to you, Mr. Shelton.

Mr. SHELTON. Sir, I respectfully decline to turn over any records, books, or materials so subpoenaed for the reason that I honestly feel that any material turned over might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, at the hour of 1:25 o'clock p.m. on the 11th day of October 1965, when you were served, were you the Imperial Wizard of the United Klans of America, Inc., Knights of the Ku Klux Klan?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, part 2 of your subpoena called for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your

capacity as Imperial Wizard of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Are you prepared to submit the documents called for by your Constitution and Laws?

Mr. SHELTON. Sir, I respectfully decline to turn over any documents under the listing of the subpoena dated October 7, 1965, for the reason that I honestly feel that any such material might tend to incriminate me in violation of my rights as guaranteed to me under amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents called for by the Constitution and Laws.

The CHAIRMAN. I direct you to produce those documents.

Mr. SHELTON. Sir, I decline to turn over any documents as listed by the subpoena of October 7, 1965, for I personally and honestly feel that any material that I might turn over to the committee would tend to incriminate me in violation of my rights as guaranteed to me by the amendments No. 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. The last question referred to documents requested and ordered to be produced under part 2 of the subpoena. You understand that, do you, and my demand for production has to do with the documents referred to in part 2 of the subpoena?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that any answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. ASHBROOK. Mr. Chairman, I am sure that the witness is very proud to have committed such a long passage to memory. But to facilitate the hearings I suggest we inform him of his ability to invoke this by just referring to the grounds previously stated.

The CHAIRMAN. Yes, I might explain that to counsel.

It is usual, or not unusual, let's put it, in cases of repeated invocation of the fifth amendment, instead of literally repeating all the words, to say that he declines to answer on the grounds previously stated, if he wants to. It is up to him.

(Witness confers with counsel.)

The CHAIRMAN. I just made a suggestion. You can act the way you want. I want to make it clear that the documents just referred to, required to be produced under part 2 of the subpoena which has been served upon you, and you are being asked to produce them both as president of the corporation and as Imperial Wizard of the United Klans of America.

I just want to make the record clear. The subpoena was directed to you in that capacity, as president and Imperial Wizard.

If you understand that, you don't have to repeat the invocation, but you may do it if you wish.

Do you understand that?

Mr. SHELTON. Sir, I decline to answer that question for the reason that I honestly feel that the answer might tend to incriminate me in violation of my rights as guaranteed to me under the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Now, let me ask you this question: If the previous questions that were posed to you before we reached the subpoena had been addressed to you not only as an individual and an official, but also as an Imperial Wizard, would your answers have been the same?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that the answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. And I take it that the suggestion made a while ago, that instead of going through this ritual of reading the paper you have in front of you, that you might simply say that you decline to answer for reasons previously stated, is declined by you; is that correct?

Mr. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me under amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Am I to understand that your reason for not following my suggestion is that in addition to your refusing to answer by invoking repeatedly your privileges under the fifth amendment also involves an attitude of delaying the proceedings?

Mr. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me under amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. Mr. Chairman—

The CHAIRMAN. Mr. Pool?

Mr. POOL. Have you advised other Klansmen throughout the country that they should not take the fifth amendment?

Mr. SHELTON. I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights—

Mr. POOL. It is all right for you to take the fifth—

Mr. SHELTON. —as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. In other words, it is all right for you to take the fifth amendment, but they shouldn't take it; they should come up and testify?

Mr. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel that the answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. Well, is membership in the Ku Klux Klan considered by you to be a membership that will incriminate you?

Mr. SHELTON. I respectfully decline to answer that question for the reasons that I honestly feel that the answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. All right, answer this question, if you will: Are you ashamed to be a member of the Ku Klux Klan?

Mr. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate

me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. And to that question—this is not a question but a statement—to that question, then, you took the fifth amendment.

The CHAIRMAN. All right, proceed.

Mr. APPELL. Mr. Shelton, part 3 of your subpoena called for you to produce:

Copies of unexecuted forms relating to applications for membership, applications and issuance of charters; copies of Constitutions and By-Laws; manuals; and unexecuted forms and documents used by Kligrapps (Imperial, Realm and Klan or Klavern), and Klabees (Imperial, Realm and Klan or Klavern), Grand Dragons (Realm), Kleagles (Imperial, Realm, Province, and Klan, or Klavern); all of which are in your possession, custody or control, or available to you as Imperial Wizard of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and its affiliated organizations, the Alabama Rescue Service and United Klansmen of America, and which are used in connection with the business and affairs of said organizations.

I ask you to produce—I direct you to produce those documents.
(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to produce these documents called for under this subpoena for the reason that I honestly feel that these documents might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Ashbrook left the hearing room.)

Mr. APPELL. Mr. Chairman, I ask for a direction for the witness to produce the documents.

The CHAIRMAN. I order and direct you to produce those documents for the reasons I have already indicated.

Mr. SHELTON. Sir, I respectfully decline to produce these documents under question for the reason that I honestly feel that the answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, part 4 of your subpoena called upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, [which is titled] "U.S. Corporation Income Tax Return", for the fiscal years 1961 through June 30, 1965, filed by you as President and/or Imperial Wizard, United Klans of America, Knights of the Ku Klux Klan, Inc., with the U.S. Treasury Department, Internal Revenue Service.

I direct you to produce those documents.

Mr. SHELTON. Sir, I respectfully decline to turn over these documents under subpoena for the reason that I honestly feel that these documents might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Ashbrook returned to the hearing room.)

The CHAIRMAN. That demand is made upon you as president of the corporation, and as Imperial Wizard of the Klan. I order and direct you to produce those documents pursuant to that subpoena in that capacity.

Mr. SHELTON. Sir, I respectively decline to produce these documents in question for the reason that I honestly feel they might tend to incriminate me in violation of my rights as guaranteed to me by amendments, 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Supplemental to the reasons on which I ruled that your invocation is improper, I call to your attention, and to that of your counsel, decisions of the courts holding that if pertinent to the investigation, and this is pertinent, it is proper to subpoena from the taxpayer involved, or the president of the corporation, a copy of Federal income tax returns. I wanted to make that clear.

That case is *U.S. versus O'Mara*, 122 Fed. Supp. 399, and incidentally, it was a contempt citation case, contempt before a committee of Congress.

Proceed.

Mr. APPELL. Mr. Shelton, part 5 of your subpoena attachment called for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040 [which is titled] "U.S. Individual Income Tax Return", for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I direct that you produce the documents at this time.

Mr. SHELTON. Sir, I respectively decline to turn over this document in question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I order and direct you to produce the documents.

Mr. SHELTON. Sir, I respectively decline to produce these documents in question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Did you not, on October 14, 1965, in Hotel Stafford, Tuscaloosa, tell our investigator, Mr. Louis Russell, that you would not invoke the fifth amendment?

Mr. SHELTON. Sir, I respectively decline to answer that question for the reason that I honestly feel that it might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Did you not, as late as yesterday, in the company of the attorney next to you, call on the director of this committee, Mr. Francis McNamara, and then and there tell him—both you and your lawyer—that you would cooperate in every way possible with this committee?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. And may I say that I am not in the least reproaching your legal counsel's advice. I am seeking facts. I just want to say that. I know it was just told to me that counsel had said

that he would, of course, have to protect the rights of his client, or words to that effect.

Mr. CHALMERS. Yes.

Mr. APPELL. Mr. Chairman, with the indulgence of the committee, I would like to refer to the Constitution and Laws of the order and those sections of the Constitution and Laws that places the responsibility upon the Imperial Wizard to do certain things and to carry out certain functions of his office.

Section 3, under the "Duties, Prerogatives and Powers of the Imperial Wizard," reads:

He shall issue charters for Klans, specify conditions on which charters shall be issued, and shall have the power to open and close charters of Klans at his discretion or upon request of a Klan. He shall have full authority and power to suspend or revoke charters of Klans, for cause.

Mr. Shelton, do you have communications relating, and documents relating, to the issue of charters?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Section 6 provides "he," referring to the Imperial Wizard, or as the Constitution and Laws say, the president—and "he" is used in the context of both president and Imperial Wizard:

He shall have full authority to issue decrees, edicts, mandates, rulings and instructions covering any matter not specifically set forth in this Constitution, or emphasizing any matter of this Constitution, and all such decrees, edicts, mandates, ruling and instructions must be respected and obeyed promptly and faithfully by all members of this Order on penalty of Suspension upon approval of the Imperial Board.

Do you have in your possession any decrees, edicts, mandates, rulings, or instructions issued by you?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Section 9 says "he," referring to the Imperial Wizard or president—

shall have full power and authority to suspend from office at any time any officer of this Order, or any rank or station or capacity, or any employee whomsoever, on the ground of incompetency, disloyalty, neglect of duty, or for unbecoming conduct.

Do you have in your possession any documents relating to the suspension of any officer, member, or employee?

Mr. SHELTON. Sir, I respectfully decline to produce any such documents in question for the reason that I honestly feel that my presentation of documents might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Section 10 provides "he," referring to the Imperial Wizard and president—

shall have and hold full and original authority and power, office and title of "Supreme Kleagle."

As this Constitution and Laws describes the Supreme Kleagle as the Supreme Organizer, do you have any documents in your possession with respect to the organization or organizational activities of organizers or the establishment of realms?

Mr. SHELTON. May I speak with my counsel?

The CHAIRMAN. Yes.

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that the answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. In that connection, with reference to this series of questions, isn't it a fact that you have said many times that you didn't believe in violence, and if people engaged in violence that you had means of suspending or rejecting those members? And also is it not a fact that that is just a sham and you never have expelled any member because of violence even though you knew they had committed violence, and that is what the provisions in this document are talking about?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Section 11 provides "he," the Imperial Wizard or president—

shall issue and sign all commissions or other credentials of this Order in promulgating same, and affix the Imperial Seal thereto; and he shall contract, in the name of this Order, with other members for its extension, financing, management, operation and business interests.

Do you have in your possession any documents related to and within Section 11?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that the answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, there are many other sections of the constitution which relate to the documents, decrees, and edicts issued by the Imperial Wizard or president. However, I shall now pass to that portion of the constitution which relates itself to financial documents.

Under Article XIII, which deals with paraphernalia, regalia, emblems, ensigns, and insignia, Section 3:

All articles, designs and things referred to or implied in Sections 1 and 2, above, and Article X, Section 7, of this Constitution, and all property, real and personal, shall ever be and remain the property of this Order and such supplies can only be procured from the Imperial Wizard by the required requisition therefor, and this also shall apply to all supplies used by any subordinate jurisdiction and any and all jewelry or other articles used by a member upon the approval of the Imperial Board.

Mr. Shelton, do you maintain records of receipts of money for sales of supplies to realms or to Klans or Klaverns within the realms?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. ASHBROOK. Mr. Chairman, could I ask a question at that point?

The **CHAIRMAN**. Yes.

Mr. ASHBROOK. Mr. Shelton, in your invitation to men to join your organization, which bears your picture and has your name, you make the following statement, which appears most interesting at this point. You say:

We will never cower before any master or bend to any threat. It is our heritage to stand erect, proud, and unafraid: to think and act for ourself: enjoy the benefits of our creation, and to face the world boldly and say: . . . This I have done!

It is your feeling that this is what you are doing at the present time, standing and facing the world boldly and saying, "This I have done!" or is this invitation for people to join the Klan, like most of what we have seen, just somewhat of a ruse?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The **CHAIRMAN**. The question before the one you declined to answer had to do with your maintenance of financial records, and to that you invoked the fifth amendment. Is fear of answer involving possible incrimination because of financial irregularities and failure properly to report your income to the Federal Government or the State of Alabama in your income tax returns?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Ichord left the hearing room.)

The **CHAIRMAN**. Have you, in fact, faithfully used and expended and utilized all funds coming to you as president of your corporation and as Imperial Wizard and spent it for purposes received, or have you, in fact, misappropriated any of those funds?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, Article XV, Section 1, says on revenues:

The revenues of this Order shall consist of: First, a per capita tax, which shall be known as the Imperial Tax, which shall be a sum of fifty cents (\$.50)

per month. Second, all profits realized from the placing of paraphernalia, regalia, supplies, jewelry, uniforms, costumes, stationery, and any and all other articles used in the work of this Order, or by any member. Third, all interest accruing [sic] on investments made by this Order.

Mr. Shelton, do you maintain financial records covered by Section 1, Article XV?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Shelton, I assure you this question has no religious connotations. I respect your rights in full under the Constitution, including your religious persuasion. But as a proper question in my opinion, under this investigation, I am compelled to ask you this question, as it is in my opinion perfectly proper:

You have, as part of your ritual an oath of allegiance which was quoted in part this morning and I will repeat part of it here:

"I, in the presence of God and Man—most solemnly pledge, promise and swear" that I will do thus and so, and it finally winds up, "I will die rather than divulge same—so help me God."

Yet in appearing before this committee you refused to take an oath and chose to affirm. I respected that right. In fact, I posed the proper opening form of oath. The question that comes to my mind is this:

It appears that you are willing to swear and cause all your members to swear—and I will put the word "swear" in quotes—with reference to Klan matters; yet you only affirmed here today. Is the reason that you consider an oath only with respect to the Klan, and thereby hold that oath above an oath in appearance before a congressional committee?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me under amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Isn't it a fact that according to the tenets of your Klan organization, that your primary obligation, your true allegiance, is to the Klan, above allegiance to your Government or anything else?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me under the amendments of 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Shelton, I hand you a series of oaths: Section I.—Obedience; Section II.—Secrecy; Section III.—Fidelity; Section IV.—[Klan]*ishness.

I ask you if these are the series of oaths administered to members of the United Klans of America.

The CHAIRMAN. I hope you will not invoke the fifth amendment on the ground of possible self-incrimination in referring to an oath.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Robert Shelton Exhibit No. 4." This exhibit will be reproduced in a forthcoming report on Klan organizations.)

The CHAIRMAN. I think I am going to direct you, and I hereby direct you, to answer that question.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Buchanan left the hearing room.)

The CHAIRMAN. Now, I renew the suggestion I made a while ago that instead of going through that ritual—which by now you are reading faster, incidentally—instead of doing that, I offer again that you simply say that you decline to answer for reasons previously stated.

(At this point Mr. Weltner left the hearing room.)

The CHAIRMAN. Do you accept that suggestion?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Weltner returned to the hearing room.)

Mr. APPELL. Mr. Shelton, the series of oaths that I handed to you, did you, as an individual, ever take them? Were they ever administered to you as an individual?

Mr. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, you were asked about the receipt of money provided for by Section 1 of Article XV. Does the United Klans of America, Inc., as an organization, or yourself as an individual, maintain a bank account under the name of the Alabama Rescue Service at "The First National Bank of Tuskaloosa," Tuskaloosa, Alabama?

Mr. SHELTON. Sir, I respectfully decline to answer that question on the grounds of the previous statement.

The CHAIRMAN. Oh? You decline to answer for reasons previously stated?

Mr. SHELTON. Heretofore stated.

(At this point Mr. Buchanan returned to the hearing room.)

The CHAIRMAN. That is fine.

Mr. SHELTON. That is, in my previous answer.

Mr. APPELL. Mr. Chairman, the Committee on Un-American Activities has served subpoenas upon The First National Bank of Tuscaloosa for the production of certain books and records maintained under the name of Alabama Rescue Service.

The CHAIRMAN. Before you go into that, let me ask this question: Isn't the Alabama Rescue Service a plain front organization?

Mr. SHELTON. Sir, I respectfully decline to answer that question on the grounds previously stated and included thereof.

The CHAIRMAN. And does not your organization and its various ramifications throughout the several States have several front organizations, such as clubs, gun clubs, and any number of others?

Mr. SHELTON. Sir, I respectfully decline to answer that question on the previous grounds stated thereof.

Mr. APPELL. Mr. Shelton, again before we get to the subpoena, were you interviewed by an agent of the Internal Revenue Service on 1 of 3 days, August 6, 7, or 8, 1963,¹ by Internal Revenue Service Agent Roy Heddy when you were accompanied by Mr. James R. Jones?

Mr. SHELTON. Sir, I respectfully decline to answer that question on the grounds as previously stated and included thereof.

Mr. APPELL. Mr. Chairman, I would like to read into the record a report furnished us by the Internal Revenue Service in respect to a request made of the President of the United States for permission to review certain tax records which the committee has the authority to do under Executive order. This memorandum, prepared by Albert B. Niemann, revenue officer, High Point, contains this paragraph:

Revenue Officer Heddy called me this morning stating he had conferred with Mr. Shelton and with Mr. Jones, and had received the following information. The Realm of North Carolina is simply a geographical subdivision of the National Chapter and is used only to identify a given area, i.e., the State of North Carolina. It is not an organization and has no funds, income or expense, therefore no returns are due. The North Carolina Rescue Service does not exist. Mr. Shelton stated that there is an Alabama Rescue Service which is simply a book-keeping function, wherein funds are placed in that name in the bank and disbursements made from that checking account—in the state of Alabama. No such checking account exists in the state of North Carolina, according to Mr. Shelton and Mr. Jones, therefore, no returns are due.

Mr. Shelton, is that a truthful reporting of an interview conducted of you and Grahd Dragon Jones by Internal Revenue Agent Heddy?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

Mr. APPELL. As it was reported to us, is it correct?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

(Document marked "Robert Shelton Exhibit No. 5" and retained in committee files.)

Mr. APPELL. Mr. Chairman, in accordance with the subpoena served upon The First National Bank of Tuscaloosa, the committee has received records of the Alabama Rescue Service going back to May 13, 1963. Together with the production of documents called for, there were copies of signature cards.

Mr. Shelton, I hand you the first signature card containing the names of Fredrick G. Smith and Alvin B. Sisk and ask you whether or

¹ This should read "1965".

not they were officers of the United Klans of America using a book-keeping function known as the Alabama Rescue Service.

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

(Document marked "Robert Shelton Exhibit No. 6" follows:)

ROBERT SHELTON EXHIBIT No. 6

INDIVIDUAL																																					
FIRST NATIONAL BANK, TUSKALOOSA, ALABAMA																																					
<p>The bank is hereby authorized to recognize the signature executed herewith in payment of funds or transaction of any other business of said party. In receiving items for deposit or collection, this bank acts only as depositor's collecting agent and assumes no responsibility beyond the exercise of due care. All items are credited subject to final payment in cash or solvent credit. This bank will not be liable for default or negligence of its duly selected correspondents nor for losses in transit, and such correspondent so selected shall not be liable except for its own negligence. This bank or its correspondents may send items, directly or indirectly, to any bank including the payor, and accept its draft or credit as conditional payment in lieu of cash; it may charge back any item at any time before final payment, whether returned or not, also any item drawn on this bank not good at close of business on day deposited. Service charges will be made in accordance with rules and regulations, effective as of date of this deposit, prescribed by the Tuskaloosa County Clearing House Association.</p>																																					
SIGNATURE ALABAMA RESCUE SERVICE																																					
OCCUPATION OR BUSINESS										STATEMENT TO BE																											
X <i>Frederick T. Smith</i>										MAILED HELD																											
BUSINESS ADDRESS										DATE OPENED																											
X <i>Alvin B. Sisk</i>										8-25-61																											
RESIDENCE ADDRESS										INITIAL DEPOSIT																											
401-Alston Bldg, City										SEP 24 1966																											
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ALABAMA RESCUE SERVICE																																					

Mr. APPELL. Mr. Shelton, isn't it a fact that Mr. Alvin B. Sisk was killed as a result of a plane crash in South Carolina in which you were a passenger in the plane?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

Mr. APPELL. Following the death of Mr. Sisk, I assume that it was necessary to file new signature cards. The bank failed to note the exact date that this signature card went into effect, but I would like to show it to you. It is Alabama Rescue Service, Robert M. Shelton, T. M. Montgomery, 401 Alston Building.

I ask you when you filed that signature card with The First National Bank of Tuskaloosa, Tuscaloosa, Alabama.

(Document handed to witness.)

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

(Document marked "Robert Shelton Exhibit No. 7" appears on p. 1620.)

Mr. APPELL. Mr. Shelton, was T. M. Montgomery an elected official of the United Klans of America using the bookkeeping designation Alabama Rescue Service?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that any answer that I give might tend to incriminate me in violation of my rights as guaranteed to me

ROBERT SHELTON EXHIBIT No. 7

RESERVE

FIRST NATIONAL BANK, TUSCALOOSA, ALABAMA

The bank is hereby authorized to recognize the signature enclosed herewith in payment of funds or transaction of any other business of said party. In receiving funds for deposits or collection, this bank will only on depositors' collecting slips and receipts be responsible beyond the receipt of the cash. All funds are credited subject to final payment to cash or order (credit). This bank will not be liable for drafts or signatures of the duly authorized correspondence nor for funds in transit. It, and each correspondent as authorized shall not be liable except for the cash signatures. This bank or its correspondents may send funds, directly or indirectly, to any bank including the paper, and except the bank or credit as conditional payment in lieu of cash; it may charge back any item at any time before final payment, whether returned or not, also any item drawn on this bank, not paid at close of business on any day. Every check will be paid in accordance with rules and regulations, effective to date of this deposit, provided by the Tuscaloosa County Clearing House Association.

SIGNATURE		Alabama Rescue Service
OCCUPATION OR BUSINESS	By: <i>Robert M. Shelton</i>	STATEMENT TO BE MAILED FIELD
BUSINESS ADDRESS	By: <i>T. M. Montgomery</i>	DATE OPENED
RESIDENCE ADDRESS	<i>461 Alston Bldg.</i>	INITIAL REPORT
INTRODUCED BY	PREVIOUS CASHING CONNECTION	AGENCY ACCEPTED BY
OF No. 101		TITLE
ALABAMA RESCUE SERVICE		THE BANK

by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, Section 5 of Article X of the Constitution and Laws of the United Klans of America in dealing with the Imperial Klabe, or as the Constitution and Laws provide, the treasurer, the normal designation of a Klabe, or treasurer, does it not read this way:

Imperial Klabe: Is the Supreme Treasurer of this Order and is, therefore, the custodian of its funds, and he shall countersign all checks with the Imperial Wizard, and he shall make a full and complete report of his office to the regular Klouvakation each and every year.

Was Mr. Montgomery, T. M. Montgomery, the Klabe?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds of the statement expressed heretofore.

The CHAIRMAN. Was Mr. T. M. Montgomery a member of the Klan?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason based on the grounds that have been heretofore stated.

The CHAIRMAN. Where does he live?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds as heretofore stated.

The CHAIRMAN. Who is he?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

The CHAIRMAN. Did you not, on October 14, 1965, at the Hotel Stafford, in Tuscaloosa, ask our investigator, Mr. Louis Russell, whom you called upon rather than he calling upon you, if—

T. M. Montgomery was also to be subpoenaed since he had been questioned regarding this person by the F.R.I. He claimed to have told them that "this is

for me to know and you to find out." He [Shelton] claimed that no one would ever know who T. M. Montgomery is.

Did you make that statement to our investigator, Louis Russell, in that hotel in Tuscaloosa on October 14?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds as heretofore stated.

Mr. APPELL. Mr. Shelton, is it not a fact that T. M. Montgomery is not a man, but a woman?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds as heretofore stated.

Mr. APPELL. Mr. Shelton, according to the bank records—

The CHAIRMAN. Wait a moment.

Mr. APPELL. Mr. Shelton, is it not a fact that the signature "T. M. Montgomery" was executed by a woman, Mrs. Carol Long?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

Mr. APPELL. Mr. Shelton, I now hand you—Mr. Shelton, was Mrs. Carol Long ever an employee in your office at 401 Alston Building, Tuscaloosa, Alabama?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

Mr. APPELL. Mr. Shelton, I hand you—

The CHAIRMAN. Mr. Shelton, I must tell you that these questions are not a fishing expedition, that we have information that we expect to produce—full proof—that the T. M. Montgomery is not a man; that she is a woman, and she is the lady just identified by Mr. Appell. I want you to think about that.

Is your answer still the invocation of the fifth amendment?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly think that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, on May 14, 1964, a third signature card was filed with The First National Bank of Tuscaloosa, Tuscaloosa, Alabama, and this signature card contains the signatures of Robert M. Shelton and James J. Hendrix, with the designation following the name Hendrix, "Treas.," which I presume is the abbreviation of treasurer, with the address of "401 Alston Bldg., City."

The CHAIRMAN. And that is with reference to what bank?

Mr. APPELL. This is the bank account at The First National Bank, Tuscaloosa, Alabama, in the name of the Alabama Rescue Service, the same account we have been discussing with the two previous signature cards.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.



(Document marked "Robert Shelton Exhibit No. 8" follows:)

ROBERT SHELTON EXHIBIT No. 8

INDIVIDUAL			
FIRST NATIONAL BANK, TUSKALOOSA, ALABAMA			
<p>The bank is hereby authorized to recognize the signature suggested herewith in payment of funds or transaction of any other business of said party. In receiving income for deposit or collection, this bank acts only as depository's reflecting agent and assumes no responsibility beyond the exercise of due care. All items are credited subject to final payment in cash or solvent credit. This bank will not be liable for default or negligence of its duly related correspondents for any losses in transit, and each correspondent so selected shall not be liable except for its own negligence. This bank & its correspondents may send items, directly or indirectly, to any bank including the payor, and accept its draft or credit as conditional payment in lieu of cash; it may charge back any item at any time before final payment, whether returned or not, also any item drawn on this bank not good at close of business on day deposited. Service charges will be made in accordance with rules and regulations, effective as of date of this deposit.</p>			
ALABAMA RESCUE SERVICE			
SIGNATURE	BY: <i>Robert M. Shelton</i>		
OCCUPATION OR BUSINESS	BY: <i>James J. Hendrix</i> Treasurer		
BUSINESS ADDRESS	RESIDENCE ADDRESS		
X 401 - <i>Adrian Bldg. City</i>		INITIAL DEPOSIT	
INTRODUCED BY	PREVIOUS BANKING CONNECTION	ACCOUNT ACCEPTED BY	DATE OPENED
New Reg. Nos.		TITLE	
ALABAMA RESCUE SERVICE		MAY 1944	

The CHAIRMAN. Is the name James J. Hendricks or Hendrick?

Mr. APPELL. H-e-n-d-r-i-x.

The CHAIRMAN. Mr. Appell read to you a while ago the provision of your own Constitution and Laws to the effect that the treasurer or the individual required to countersign checks with you, or having the authority independently to draw checks, must be the treasurer of the United Klans of America.

Was James J. Hendrix the treasurer of your Klan organization?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

The CHAIRMAN. Was James J. Hendrix a member of the Klan?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds as heretofore stated.

The CHAIRMAN. Where does James J. Hendrix live?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

The CHAIRMAN. Is there such a person as James J. Hendrix?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

The CHAIRMAN. Isn't it true that James J. Hendrix is not a male, but a female—a lady?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds as heretofore stated.

The CHAIRMAN. I give you the privilege—I am not going to ask you—I give you the privilege of naming that lady.

Mr. SHELTON. Sir, I—

The CHAIRMAN. And tell you before you answer that we have definite proof of who that lady is.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Witness confers with counsel.)

The CHAIRMAN. Mr. Shelton, you will be excused for a moment, but you are ordered not to leave this room.

Mr. SHELTON. Yes, sir.

The CHAIRMAN. Call your next witness, Mr. Appell.

Mr. APPELL. Mr. Chairman, I should like to call as the next witness Mrs. Carol Long.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. LONG. No, sir; I do not swear; I affirm.

The CHAIRMAN. Do you affirm?

Mrs. LONG. I certainly do.

The CHAIRMAN. Do you affirm that the testimony you are about to give will be the truth, the whole truth, so help you God?

Mrs. LONG. I certainly do.

TESTIMONY OF CAROL LONG, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Will you state your full name for the record?

Mrs. LONG. Mrs. Carol Long.

Mr. APPELL. Are you represented by counsel?

Mr. CHALMERS. She is.

Mr. APPELL. Will you please identify yourself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, 501 First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Are you appearing before the committee this morning in accordance with a subpoena served upon you by a United States marshal at 11:55 o'clock a.m., the 11th day of October 1965?

Mrs. LONG. Yes, sir. I am not sure about the correct time.

Mr. APPELL. Mrs. Long, were you ever employed or did you ever receive income from the United Klans of America or Alabama Rescue Service?

Mrs. LONG. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights that are guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mrs. Long, I hand you a Recordak copy of a check drawn on the Alabama Rescue Service, Suite 401 Alston Building, Tuscaloosa, Alabama, drawn on The First National Bank of Tuscaloosa, Tuscaloosa, Alabama, dated 8-2-63, made payable to cash in the amount of \$50 signed "Robert M. Shelton, T. M. Montgomery," and endorsed on the reverse thereof "Carol Long."

Would you examine that check and answer as to whether or not the endorsement on the reverse of the check, the name "Carol Long," was signed by you?

Mrs. LONG. I would like to consult my counsel.

(Witness confers with counsel.)

Mrs. Long. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Carol Long Exhibit No. 1" follows:)

CAROL LONG EXHIBIT NO. 1

284

ALABAMA RESCUE SERVICE
SUITE 300 THE ALISON BUILDING
TUSCALOOSA, ALABAMA

DATE *9/10/80* \$ *50.00*

ALABAMA RESCUE SERVICE

So. to M. Hall

T. M. Montgomery

THE FIRST NATIONAL BANK
OF TUSCALOOSA
TUSCALOOSA, ALABAMA

SEP 10 1980

Carol Long

The CHAIRMAN. Mrs. Long, is it not a fact, an honest fact, that the signature "T. M. Montgomery," as a maker of the check, and the signature "Carol Long," as the endorser of the check, are one and the same handwriting?

Mrs. LONG. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights that are guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I think I ought to tell you, because this may lead to just such things as you are talking about, that we will adduce in a few moments proof that it is the same handwriting.

Mrs. LONG. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights that are guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mrs. Long, were you ever employed by the Park Street Furniture Company?

Mrs. LONG. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America, sir.

Mr. APPELL. Mrs. Long, I hand to you two documents, which are contracts for the purchases of appliances by customers of the "Park Street Furniture Co.," one dated 11-27-64, which shows that it was executed by Carol Long; the other dated 11-28-64 for a Philco washer which was purchased by Mr. Fred Montgomery. I ask you whether these contracts were executed by you in your hand.

Mrs. LONG. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights that are guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America, sir.

(Documents marked "Carol Long Exhibits Nos. 2-A and 2-B," respectively, follow:)

CAROL LONG EXHIBIT No. 2-A

Cash

PARK STREET FURNITURE CO.

Charge

COMPLETE LINE HOME FURNITURE

1230 PARK STREET

No. 1939

NORTHPORT, ALA.

This Agreement Certifies, That I,

Address

Terms:

Have This Day Purchased of PARK STREET FURNITURE CO., Northport, Alabama, the Following Property, to-Wit:

QUANTITY	NUMBER	ARTICLES	PRICE	TOTAL
1	19P1160	Sylvania Portable TV Serial # 563101-111-4052 Brent		

As a part of the consideration of this contract, I expressly agree that any payments made by me to Park Street Furniture Company, whether under the provisions of this contract or any prior or subsequent contract, shall be applied as a credit to my general account as a whole and not towards the payment of any particular contract or contracts, item or items. I further agree that the loss, injury or destruction of said property shall not relieve me from the payments as provided herein, and I agree and acknowledge that this contract contains the entire agreement between the parties hereto, their agents or employees, either verbal or written. I further agree that the waiver or indulgence of any default or breach of this contract shall not operate as a waiver of any subsequent default or breach and wherever used the singular shall include the plural and the plural the singular.

In Witness Whereof, I hereto set my hand and seal this, the

day of

196

Witness:

Delivered by

Received all of the above in good condition.

Signed by

WEATHERS CO. PRINTING CO. TUNICA, MISS.

CAROL LONG EXHIBIT No. 2-B

Cash

PARK STREET FURNITURE CO.

Charge

COMPLETE LINE HOME FURNITURE

1230 PARK STREET

No. 1375

NORTHPORT, ALA.

This Agreement Certifies, That I,

Address

Terms:

Have This Day Purchased of PARK STREET FURNITURE CO., Northport, Alabama, the Following Property, to-Wit:

QUANTITY	NUMBER	ARTICLES	PRICE	TOTAL
1	W231U	Phifer Washer Serial # 37K13372		169.95 8.50 178.45

As a part of the consideration of this contract, I expressly agree that any payments made by me to Park Street Furniture Company, whether under the provisions of this contract or any prior or subsequent contract, shall be applied as a credit to my general account as a whole and not towards the payment of any particular contract or contracts, item or items. I further agree that the loss, injury or destruction of said property shall not relieve me from the payments as provided herein, and I agree and acknowledge that this contract contains the entire agreement between the parties hereto, their agents or employees, either verbal or written. I further agree that the waiver or indulgence of any default or breach of this contract shall not operate as a waiver of any subsequent default or breach and wherever used the singular shall include the plural and the plural the singular.

In Witness Whereof, I hereto set my hand and seal this, the

day of

196

Witness:

Delivered by

Received all of the above in good condition.

Signed by

WEATHERS CO. PRINTING CO. TUNICA, MISS.

Mr. APPELL. I hand you a signature card which was received through subpoena from The First National Bank of Tuscaloosa, Tuscaloosa, Alabama, for the Alabama Rescue Service, signed "Robert M. Shelton" and "T. M. Montgomery," 401 Alston Building, and I ask you if you signed the "T. M. Montgomery" that appears on this copy of the signature card.

Mrs. LONG. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights that are guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America, sir.

(Document previously marked "Robert Shelton Exhibit No. 7." See p. 1620.)

Mr. APPELL. Mr. Chairman, I would like to ask that the witness step aside.

The CHAIRMAN. The witness will be excused for a moment, but is ordered to remain in the room.

Mrs. LONG. Yes, sir.

The CHAIRMAN. Call your next witness.

Mr. APPELL. I should like to call Mrs. Betty L. Shelton.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SHELTON. I affirm.

The CHAIRMAN. Do you solemnly affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SHELTON. I affirm.

TESTIMONY OF BETTY L. SHELTON, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mrs. Shelton, would you state your full name for the record, please?

Mrs. SHELTON. Mrs. Betty L. Shelton.

The CHAIRMAN. You are the wife of Robert M. Shelton; are you not?

Mrs. SHELTON. Yes.

Mr. CHALMERS. Mr. Chairman, may I at this time ask the chairman to entertain my motion under Rule XII?

Mr. APPELL. Can we identify you on the record first?

Mr. CHALMERS. Yes.

Mr. APPELL. Are you represented by counsel, Mrs. Shelton?

Mrs. SHELTON. Yes.

Mr. APPELL. Will counsel identify himself for the record?

The CHAIRMAN. And please speak into the microphone. You have sworn that you are Mrs. Robert M. Shelton.

What is the second question?

Mr. APPELL. I asked the counsel to identify himself for the record.

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, 501 First Federal Building, Raleigh, North Carolina.

The CHAIRMAN. And you represent the witness?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Now, you wanted to—

Mr. CHALMERS. Mr. Chairman, I would like to call Rule XII to the attention of the chairman and to the other members of the committee and asked respectfully that Mrs. Shelton be accorded the provisions under Rule XII.

The CHAIRMAN. I will read the rule aloud:

The confidential relationship between husband and wife shall be respected and, for reasons of public policy, one spouse shall not be questioned concerning the activities of the other, except when a majority of the Committee or Subcommittee shall determine otherwise.

That is all right. We could have called a meeting with reference to Mrs. Shelton. We could have done it. We are not going to do it in this instance. We are not going to question her about activities of her husband. We are going to question her about her activities.

Mr. APPELL. Mrs. Shelton, are you appearing before the committee today in accordance with the subpoena served upon you at 11:20 a.m. on the 11th day of October 1965?

Mrs. SHELTON. About that time.

Mr. APPELL. Mrs. Shelton, have you ever been employed or worked in the offices of the United Klans of America, also known as the Alabama Rescue Service, Room 401, Alston Building, in Tuscaloosa?

Mrs. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. As a matter of fact, Mrs. Shelton, it was in that office that you and I first met; was it not?

Mrs. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mrs. Shelton, did you ever hear of, and know the identity of, T. M. Montgomery?

Mrs. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mrs. Shelton, I hand to you a copy of a signature card which the committee obtained through a subpoena from The First National Bank of Tuscaloosa, Alabama, showing that this signature card was made effective on May 14, 1964, for the Alabama Rescue Service, with signatures of "Robert M. Shelton; James J. Hendrix, Treas., 401 Alston Bldg., City."

I ask you if you signed the name "James J. Hendrix."

(Witness confers with counsel.)

Mrs. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document previously marked "Robert Shelton Exhibit No. 8." See p. 1622.)

Mr. APPELL. Mrs. Shelton, is it a fact that you did sign the name "James J. Hendrix"?

Mrs. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Isn't it a fact that there is no such person as James J. Hendrix?

Mrs. SHELTON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mrs. Shelton, you will be excused for a moment, but you are ordered to remain in the room.

Call your next witness.

Mr. APPELL. Mr. Chairman, I would like to call Mr. Philip Schmitz.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCHMITZ. I do.

TESTIMONY OF PHILIP L. SCHMITZ

Mr. APPELL. What is your name, sir?

Mr. SCHMITZ. Philip L. Schmitz.

Mr. APPELL. What is your business or occupation?

Mr. SCHMITZ. I am a documents analyst, sometimes referred to as a handwriting expert, for the U.S. Veterans' Administration in Washington, D.C.

Mr. APPELL. What are your duties as a documents analyst?

Mr. SCHMITZ. My duties involve the examination and comparison of handwriting, handprinting, typewriting, indented, obliterated writing, alterations, erasures, ink studies, and related material that concern the establishment of whether or not a document is genuine or fraudulent.

Mr. APPELL. What educational training and background have you received?

Mr. SCHMITZ. I have a bachelor of science degree from St. Thomas College, St. Paul, Minnesota, and have conducted studies and researches in this field of document examination for a period of over 20 years.

Mr. APPELL. What did you do in a special way to prepare yourself for the work you are now doing?

Mr. SCHMITZ. After graduation from college, I received an appointment with the Federal Bureau of Investigation in Washington, D.C. Shortly after entering the FBI, I was assigned to the Document Section of the FBI Laboratory, where I worked under the direct supervision of qualified document analysts.

During this time, I received the course of instruction, attended lectures and conferences, and conducted researches and studies on the subject, working on actual cases under the direct supervision of experienced document examiners.

After reaching a satisfactory degree of proficiency, I was appointed special agent for the FBI as a senior document identification specialist and was granted the right to testify as an expert witness in documents identification matters, representing the FBI and the U.S. Government.

I spent approximately 3 years in the U.S. Army as an investigator and later as an investigating officer. Since January of 1947, I have been with the Identification and Detection Division of the U.S. Veterans' Administration, doing the same type of work I did with the FBI. I have conducted lectures and prepared papers on this subject.

Mr. APPELL. As a matter of fact, Mr. Schmitz, did you not do much of the documents work for this committee in the Alger Hiss-Whittaker Chambers matter?

Mr. SCHMITZ. Yes, I did.

Mr. APPELL. Have you ever testified as an expert witness?

Mr. SCHMITZ. Yes; on many occasions I have been called to testify as an expert witness in this field. I have testified before the Federal district courts, both criminal and civil, in Washington, D.C. I testified in Massachusetts, New York, Alabama, Florida, California. I have testified before Veterans' Administration hearing boards in central office in Washington, D.C.; in Chicago, Illinois; Memphis, Tennessee. And on a number of occasions I have been called to testify, but defendant has entered a plea of guilty prior to my having the opportunity to actually take the stand.

Mr. APPELL. Are you a member of any recognized scientific society?

Mr. SCHMITZ. Yes; I am a fellow member of the American Academy of Forensic Sciences and was elected to the chairmanship of the Questioned Documents Section of that organization, which I considered a very high honor.

Only recently I was elected to regular membership in the American Society of Questioned Document Examiners, which is a very select group of well-qualified document examiners. This is an international society with a very limited membership. I believe it is about 37. I consider my election to this organization as one of the highest honors I have ever received.

Mr. APPELL. Have you assisted in training document analysts for foreign countries?

KNOW

Mrs. Betty
AND WIFE MUST SURE

True

Betty Jane
1910's ad

Betty L. L.
1910's ad

Robert
1910's ad

Robert
1910's ad

Mr. SCHMITZ. Yes. Our laboratory has assisted the AID, the Agency for International Development, in training document examiners from a number of foreign countries, including the Philippine Islands, Lebanon, Libya, Turkey, Thailand, Tunisia, Ethiopia, and Brazil. I believe there are about eight countries so far.

Mr. APPELL. Mr. Schmitz, in connection with the committee's investigation into this matter, were numerous documents submitted to you for your examination for the purpose of attempting to identify the person who wrote the names "T. M. Montgomery" and "James J. Hendrix"?

Mr. SCHMITZ. That is true.

Mr. APPELL. From these documents, have you been able to establish the authorship of T. M. Montgomery and James J. Hendrix?

Mr. SCHMITZ. Yes, I have.

Mr. APPELL. Have you prepared certain documents and exhibits which you would like at this time to present for the consideration of the committee?

Mr. SCHMITZ. Yes.

Mr. APPELL. Mr. Chairman, I would like to ask that the witness be given permission to proceed with his own slides and with his own explanation of those documents.

The CHAIRMAN. The witness will proceed.

Mr. SCHMITZ. Prior to the demonstration, I would just like to make one or two points. Handwriting identification is based on the principle that no two individuals write exactly alike. In order to actually make an identification, there must be a strong combination of similarities in handwriting and no unexplained major differences.

One person might ask the question: "How is handwriting identified?" It is not by general qualities, but by small, inconspicuous writing characteristics that each of us has in our own writing and as we write we are unaware that they exist.

If differences do occur, the question that must be answered by the examiner is: "Are they natural variations or are they wide divergencies which actually point to different writers?"

Natural variations are desirable, that is, desirable for an identification. Wide divergencies would point to a different writer.

I have prepared a chart which I would like to exhibit at his time. (Comparison Chart "A" as shown on slide appears opposite this page.)

Mr. SCHMITZ. In explaining this chart, this particular signature refers to an income tax form dated February 14, 1963 [indicating], a joint return submitted by Robert M. Shelton and Mrs. Betty L. Shelton. It has her known signature.

This signature [indicating] refers to an income tax form dated April 18, 1960, a joint return submitted by Betty L. Shelton and Robert M. Shelton.

This signature [indicating] refers or is contained on income tax form dated April 16, 1962. It is of the same variety.

The fourth item is a bank deposit slip at the First National Bank, Tuscaloosa, Alabama, and as you can see is dated April 27, 1964.

The fifth item is a bank deposit slip which is dated January 29, 1965. These are all listed under known writing. There is a separation in here.

On this side we have questioned writing. Beneath that we have the signature of "James J. Hendrix" as it appears on a bank signature card dated May 14, 1964, which was previously identified by Mr. Appell.

This signature of James J. Hendrix [indicating] appears on a check of the Alabama Rescue Service, check No. 640, dated April 2, 1965.

This signature [indicating] refers to a similar check of the Alabama Rescue Service, No. 502, dated August 25, 1964.

This final entry appears also on the same check, No. 502, in the body of the check, dated August 25, 1964.

In summarizing this chart, the three signatures at the top left were considered known since they appeared on the income tax forms of Betty L. Shelton. The bottom two signatures appear on bank deposit slips.

The writing on the top three signatures was compared with the writing on the bank deposit slips.

Then after identifying these two together [indicating], all of this writing was in turn compared with the questioned writing.

I would like to point out just a few points that are brought out in the identification of this writing.

The capital "M" in "Mrs." the center stroke, lower down, does not come down to meet the line as do the two outside strokes.

This similar type "M" appears also on the bank deposit slip, as you will notice, and also appears—

The CHAIRMAN. Pardon me, but isn't that "Robert M. Shelton"?

Mr. SCHMITZ. Robert M. Shelton; yes, sir.

The CHAIRMAN. We are talking about Betty.

Mr. SCHMITZ. This is a bank deposit slip. That is correct, sir. I am showing that Betty Lou Shelton made the deposit in the name of Robert M. Shelton.

The CHAIRMAN. In other words, what you are saying is that the name "Robert M. Shelton" was written by Mrs. Shelton?

Mr. SCHMITZ. This is what I am demonstrating; yes, sir.

So that "M" is comparable to the "M" in Robert M. Shelton, and the "M" in the latter signature of Robert M. Shelton.

Next I would like to point out the entire name "Shelton" as it appears in the first line, in the second line, in the third line, and especially compare this name "Shelton" with this name "Shelton" down here [indicating], and it is not very difficult to see the extreme similarity in the capital "S," the formation of the "h," especially the one down here [indicating], and the "e," the "l," and going across to the "ton." Take the "h," for example, as it appears in the first signature, and you see a high approach to the "h," forming this loop which stops at the lower right side.

A similar "h" appears in the second signature and also in the third signature, and a similar type "h" also appears down here in the fifth signature.

If we drop across over here to the word "Thirty," you will find a similar approach stroke, with the same type "h."

I would also like to point out that we have a variation in this "h," what we refer to as a natural variation, with it being just a little bit

lower. But similar characteristics throughout the signature prove it is a natural variation.

Bringing to your attention the small "e" as it appears in Betty and in Shelton, and Betty in the second signature and in Shelton in the second signature, and Betty in the third signature and Shelton in the third signature.

Also in the fourth signature, we find the "e" in Robert, and we find in the fifth signature a small "e," especially in Shelton, and in Shelton in the fourth signature also.

Going over to this die, the "e" in Hendrix, the first entry on the right side; the "e" in Hendrix and the "e" in James, and the "e" in Hendrix and the "e" in James, and also the "e" in the word "hundred" [indicating].

The point I am trying to emphasize is that the "e's" are extremely small and extremely consistent throughout all of the writing.

Note next the "lt" combination, which, if the "t" cross were eliminated, would be a double "l." You can see the loop in the "t." It is very consistent as it goes to the second signature and the third signature "Shelton."

It also appears in the fourth signature and also in the fifth signature.

It appears over on this side [indicating] in the word "Thirty." You will note the loop in the "T" in Thirty.

And the small "o" in the word "Shelton," you will notice the loop on this is not a common type loop, but is a loop which is extremely on the right side and is quite wide.

It also appears down here in this name "Shelton," showing that the person who wrote the first one also wrote the fourth one. And it is in the fifth name "Shelton."

Now if you will take a look at the one on the right side, you will see it has the same identification, of the loop on the right.

And the small "n" as it appears in the second signature of Shelton also appears on the third signature, appears in the fourth signature, appears in the fifth signature and when we get to the sixth signature we have "Hendrix" where the same type of "n" is formed.

Down in this entry, you find the "n" appearing three times, once in "One," "Hundred," and the word "and," all three of them tying in with the same type.

Note the "Apr"—short for April—as it appears in the fourth entry and also appears in the third entry. It is not very difficult to see the extreme similarity in the formation of somewhat of a backhand formation.

Next take a look, if you will, at the capital "J" in January, and also note the initial "J" in James J. Hendrix. It is almost a retrace, a backhand retrace.

Then, if you will, note that it also occurs in this third signature of Hendrix on two occasions. It comes to a definite point.

Now let's take a look at the same "J" with the "a" combination, "Ja," and this is an extremely high identifying characteristic as the motion goes from the bottom of the "J," looping high into the top, into the "a."

You will notice that same type of approach going high into the top into the "a." It appears in this James J. Hendrix signature [indicating], in this one, and in this James J. Hendrix signature.

Another point is the capital "C" in City, as it appears in the fifth one on the left side, and also in the letters "GMAC." Incidentally, if I didn't mention before, this capital "M" appeared on this side in the first, and on this side, in the fifth one, and also in the GMAC.

Another point is the capital "H," which is quite consistent throughout. You will notice in the "H's" the loop on the "H" is very small and hugs in very tightly.

I ask you to note with that the similar type of approach to the capital "M," a small, hugging motion, and right in here [indicating] the same type of thing and also here, showing a very strong similarity.

Also you have the loop in "Mrs." in the name "Mrs. Betty L. Shelton."

Another point is the small "d" as in Hendrix. You can see the "d" that appears there [indicating], and it also appears here in very similar formation, it appears here in very similar formation [indicating], and then down here you find the same type of "d" on three occasions, in "Hundred," twice, and at the end of the word "and."

Finally, one little note is the "y" in "Betty," compared with the "y" in "Thirty," a crossover mark, not a rounded loop, but a crossover mark.

Without going into further characteristics, I concluded as a result of this study that all of the writing on the documents that are depicted here was written by one person, namely, Betty Lou Shelton, whose known handwriting specimens appear on the income tax forms.

I have prepared a second chart comparable to the first one in most respects.

(Comparison Chart "B" as shown on slide appears opposite this page.)

Mr. SCHMITZ. I would like to explain the source of the signatures on this chart. The first signature—

The CHAIRMAN. This has reference to Carol H. Long?

Mr. SCHMITZ. That is correct; yes, sir.

The first signature was obtained from the Park Street Furniture Company, slip No. 1375, which is dated 11-28-64.

The second signature appears on the income tax form of Carol H. Long, dated April 14, 1965.

The third entry was taken from the furniture slip No. 1375, the same as the first signature was.

The fourth entry, this "TV" was taken from furniture slip No. 1939, dated November 27, 1964.

The fifth entry, "by Carol Long," also appeared on furniture slip No. 1939. These are all listed under known writing of Carol Long.

Under questioned writing, we have the signature "T. M. Montgomery" which appears on the bank signature card of The First National Bank of Tuscaloosa, Alabama, previously identified.

The second entry "T. M. Montgomery" and the date on the right, 8-2-63, were taken from a check of the Alabama Rescue Service, Tuscaloosa, Alabama. The third entry is taken from check No. 344, dated 12-5-63, of the Alabama Rescue Service, Tuscaloosa, Alabama.

The next entry is from check No. 353, dated 12-19-63, of the Alabama Rescue Service, Tuscaloosa, Alabama.

The first entry on the last line of the right side is from check No. 344, which is the same as the third line, which is dated 12-5-63. This

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QUESTIONED WRITING

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Montgomery 12/6 1860

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entry next to it of "Fifty" was taken from check No. 284, the same as the second one, the second line.

And the final entry on the last line was taken from check No. 346, dated 12-6-63, of the Alabama Rescue Service.

Now that they have been identified, I would like to point out first of all what I imagine people are able to observe as handwriting characteristics and draw their own conclusions.

However, I would like to point out those similarities in handwriting characteristics.

First, I would like to point out, comparing this known signature of Fred Montgomery which was written by Carol Long with the questioned signature of T. M. Montgomery as it appeared on the bank signature card, and running a cross comparison, first note the capital "M," the approach to the capital "M," and the formation of the letter there, and as it appears over here on questioned, the similarity is tremendous, the loop, the center part, where it doesn't extend to the bottom, the third loop, the rounded portions at the top, and the rounded portions at the lower right side. That also appears in this approach to the "M" in the second line. You have a similar approach to "Montgomery" in the third line, you have a similar approach to "Montgomery" in the signature on the fourth line.

The small "o," which, as you will recall, in the previous chart looped off to the right, this individual has a different handwriting characteristic, namely, it is a large loop and loops at the top of the "o." It is quite evident here in Montgomery, twice on the first line of known writing, and is evident in the second line, in Carol.

It is evident on the fourth line in the word "Carol," where it is very heavy.

It is also evident up here twice in this "o" in Montgomery and this "o" in Montgomery [indicating], and in the second line it is evident in this "o" and this "o" [indicating].

The next point to bring out would be the small letter "n" as it appears in the second line on the known side, in the name "Long," and in the fourth line in the name "Long."

It appears over here in Montgomery in the first line. You will notice the same type of an "n," a large loop and then a second loop. You will also notice it on the second line in Montgomery.

May I also point out that we have variations. And this is what we look for in document identification, natural variation.

There is the small "n" as it appears in signature number one, which also appears in signature number seven and also in number eight, somewhat of a variation. However, they are consistent.

Next note, if you will, the small "t." The cross of the "t" is extremely low in comparison to where the average individual does, and it also appears the same over on the right side. It is present in this "t" in Montgomery, in this "t," and in this "t" in Montgomery [indicating].

The "g" is very long, and the "y" in Montgomery. You will notice a similar formation at bottom, a looping stroke, very large. Not a straight stroke and back up again, but a large looping stroke.

It appears here in Long and in the "g" and in the "y" in Montgomery. It also appears down here in the name of Long.

Over here in questioned, it appears once here [indicating], once here, and once here, in the sixth, seventh, and eighth [indicating].

There is also variation in the "y," if you will see here the word "By," where it is a little elongated. But you have a similar type "y" over here as it appears in the word "Fifty." It shows it is consistent in both the known and the questioned writing.

Next is something that some people don't stop to think about, the formation of the lower part of the "g" in comparison to the lower part of the "y." If you were to put a line there you would see a downhill motion, a downhill trend.

In other words, the "y" end is lower than the "g." If you will take a look at all of the Montgomery signatures the "y" is lower than the "g," the "y" is lower than the "g," the "y" is lower than the "g," the "y" is lower than the "g" [indicating], consistently.

A point or two more to make: A capital "F" in Fred compares with the capital "F" in the word "Fifty."

The capital "T" in TV, a printed "T," which gives a sheltered or umbrella-type effect over the "V" which is beneath it, and then notice the "T" in T. M. Montgomery, which gives the same sheltered effect [indicating], and also the "T" in the word "Twelve," the same type of effect.

Other "T's" I would like you to note also where you have a somewhat similar effect, which is an angle. It is not a horizontal line, but it is on an angle, a lower left and going up to the right, higher, with the crossbar with the same features. Also, you will notice that they are off center. Actually, the right side of the "T" cross is longer than the left side.

Finally, one other point I would like to emphasize is this particular habit of this individual in preparing a diagonal for the date. If you will notice, it looks more like a reverse motion "P" than anything else, but it is a very consistent habit, and it goes right along with the habit of making a capital "L," the first stroke of the capital "L" and the first stroke of the diagonal. You will notice that it occurs here and here [indicating] on her income tax form, and it also occurs on the Park Furniture Company form and in the name "Long." It occurs twice on the income tax form.

And it occurs over here on the right side, if you will notice, the date of 8-2, 12-5, and down here [indicating] and down here [indicating], the diagonals.

So there are sufficient handwriting characteristics present, and I think it is only right to conclude that all of the writing on the documents under the questioned area was written by the same person, namely, Carol H. Long, who prepared the writing on the opposite side of the document.

MR. APPELL. Mr. Schmitz, can you summarize that which you have detailed as a conclusion, an expert conclusion, which you have arrived at with respect to the signature of James J. Hendrix?

MR. SCHMITZ. Yes, I believe so. I reached the conclusion that the signatures "James J. Hendrix" appearing on the signature card which was stamp-dated May 14, 1964, of the First National Bank, Tuscaloosa, Alabama, and also appearing on Alabama Rescue Service check number 502, dated 8-25-64, and on Alabama Rescue Service

check number 640, dated April 2, 1965, were all written by Betty Lou Shelton, whose known handwriting appears on income tax forms dated April 18, 1960, April 16, 1962, and February 14, 1963.

I reached a further conclusion that Betty Lou Shelton also prepared handwritten entries on deposit slips dated April 27, 1964, January 29, 1965, as well as handwritten entries and signatures of James J. Hendrix on numerous other checks of the Alabama Rescue Service.

Mr. APPELL. Have you arrived at a conclusion which may summarize your detailed explanation with respect to the signature "T. M. Montgomery"?

Mr. SCHMITZ. Yes. I reached the conclusion that the signatures "T. M. Montgomery" on the signature card of The First National Bank of Tuscaloosa, Alabama, for the Alabama Rescue Service, which card was undated, and the signatures "T. M. Montgomery" on check number 284, dated 8-2-63, check number 344, dated 12-5-63, and check number 353, dated 12-19-63, all of the Alabama Rescue Service, were written by Carol H. Long, whose known writing appears on income tax form of April 14, 1965, as well as on Park Street Furniture Company agreement form number 1939, which is dated November 27, 1964, and on 1375, which was dated November 28, 1964.

I reached the additional conclusion that Carol Long wrote the signatures "T. M. Montgomery" on numerous other checks of the Alabama Rescue Service and also prepared handwritten entries on many of these checks.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of Mr. Schmitz.

Mr. WELTNER. I have a question or two.

The CHAIRMAN. Proceed.

Mr. WELTNER. Mr. Schmitz, is there any doubt in your mind whatsoever concerning the conclusions you have just stated?

Mr. SCHMITZ. None whatsoever.

Mr. WELTNER. You have stated, then, as an expert, that there is no room for any erroneous interpretation or conclusion on your part, and you are stating as a fact that these signatures, as you mentioned, were affixed to documents by the same persons?

Mr. SCHMITZ. This is my reasoned judgment.

Mr. WELTNER. Thank you, sir.

The CHAIRMAN. Thank you very much.

I want to again thank Tecnifax Corporation for providing their facilities to make these exhibits possible.

Mr. APPELL. Mr. Chairman, I would like that these exhibits of Mr. Schmitz be made a part of the record.

The CHAIRMAN. That will be done.

The committee will now stand in recess for a few minutes.

(A brief recess was taken from 4:10 p.m. to 4:15 p.m. All subcommittee members were present at time of recess and when hearings resumed. Representative Senner was also present when hearings resumed.)

The CHAIRMAN. The committee will please come to order.

It is now well past 4 o'clock, and inasmuch as we will be going into other areas of inquiry and evidence, the committee, during the recess, has voted to recess at this time until 10 o'clock tomorrow morning.

Mr. Shelton, you will return here tomorrow morning at 10 o'clock.

Mrs. Shelton and Mrs. Long, if you desire to go back to Alabama, you are excused, if you want to be excused. You can come tomorrow or not come, as you wish, but Mr. Shelton will return at 10 o'clock and he is still under subpena.

The committee is in recess until 10 o'clock tomorrow morning.

(Members present at time of recess: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan, of the subcommittee, and also Representative Senner.)

(Whereupon, at 4:16 p.m., Tuesday, October 19, 1965, the subcommittee recessed, to reconvene at 10 a.m., Wednesday, October 20, 1965.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 1

WEDNESDAY, OCTOBER 20, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan.

Committee members also present: Representatives George F. Sener, Jr., of Arizona, and Richard H. Ichord, of Missouri.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will please come to order.

Mr. Appell, call your next witness.

Mr. APPELL. Mr. Chairman, I would like to recall to the stand Mr. Robert M. Shelton.

The CHAIRMAN. Let the record show that the witness, Mr. Shelton, has already affirmed, and his attorney has already been identified.

Be seated, Mr. Shelton.

The photographers will desist.

Proceed.

TESTIMONY OF ROBERT MARVIN SHELTON, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.—Resumed

Mr. APPELL. Mr. Shelton, would you give the committee a brief résumé of your educational background?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to

incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. This is just preliminary and background information. I order and direct you to answer that question.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, would you give the committee a brief résumé of your employment background?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, as the Imperial Wizard or president of the United Klans of America, Inc., the Knights of the Ku Klux Klan, by a vote of a kloncilium or by a vote of a klonvokation, were you given a guaranteed salary for the office that you held?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, the money that came to you in the form of the imperial tax paid by Klans or Klaverns within your jurisdiction, and placed into a bank account known in the name of the Alabama Rescue Service, was this account yours to do with as you pleased, or were you under any supervision and control with respect to the disbursement of that money by either the Kloncilium or the klonvokation?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, the *Washington Post* of October 17, 1965, contained a story by Paul Good, datelined Atlanta, Georgia, which related to a rally held there, I assume last weekend. This article quotes Calvin F. Craig, whom we believe to be the Grand Dragon of the State of Georgia—I will ask you, Is he your Grand Dragon for the State of Georgia?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate

me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, the *Washington Post* quoted Mr. Craig as saying that he drives a Falcon and says that a Cadillac driven by Imperial Wizard Shelton is Klan property.

May I ask you, Is that car registered in the name of the Klan?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Robert Shelton Exhibit No. 9" and retained in committee files.)

Mr. APPELL. Mr. Shelton, the committee's investigation uncovered the fact that in December of 1962 you purchased a 1963 Grand Prix Pontiac from Stansell Pontiac-Cadillac, Inc.; that the cost of this car was \$4,728 and that you paid \$986 cash, leaving a balance of \$3,742; that you financed this car with GMAC with insurance and finance charges making a total indebtedness to GMAC of \$4,900 payable in 36 equal installments of \$136.33; and that the present outstanding balance is \$681.65.

On the 14th of November 1964, a 1961 Cadillac sedan was substituted for the Pontiac.

Were the checks, payments on the Pontiac, and the Cadillac when it was substituted for the Pontiac, paid for from the funds of the United Klans of America in the name of the Alabama Rescue Service and drawn by checks against that account?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

Mr. APPELL. Isn't it a fact that the automobile is not registered in the name of the United Klans of America?

Mr. SHELTON. Sir, I respectfully decline to answer that question based on the grounds heretofore stated.

Mr. APPELL. Mr. Shelton, an analysis of the account shows that hundreds of dollars were disbursed from this fund to a company known as the Lorch's Diamond Shop. Can you tell me what that money purchased?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Analysis of Alabama Rescue Service bank account marked "Robert Shelton Exhibit No. 10" and retained in committee files. Records from Lorch's Diamond Shop introduced in record on Oct. 25, 1965, marked "Robert Shelton Exhibit 10-A" follow:)

ROBERT SHELTON EXHIBIT NO. 10-A

H. T-27536 *11/11/62* (no 10-1)

NAME Shelton, Mr. Robert M (Betty) ACCT. NO. 16783

ADDRESS 1708 E 15th St. TERMS

ADDRESS Office 2402 (Boston Bldg) TERMS 30.00 10th

ADDRESS 95221 TERMS 6/17/62

ADDRESS 817 12 TERMS 6/62

LINE NO.	DATE	DEBIT	CREDIT	BALANCE	ACCOUNT NUMBER	DATE & TO MAIL
JUN11-62		* 40.00		40.00 CROPB	* 16783	10/19 T L
JUN11-62		* 339.60 LC		299.60 CHB	* 16783	10/19 T L
JUL18-62		* 30.00		269.60 RAB	* 16783	11/4 T L
AUG18-62		* 30.00		239.60 RAB	* 16783	11/7 T L
AUG18-62		* 211.16		2.44	* 16783	11/7 T L
AUG18-62		* 30.06		415.00 DPA		11/7 T L
SEP17-62		* 30.00 30.00		385.00 RAA	* 16783	
OCT18-62		* 30.00		355.00 RAA	* 16783	
NOV16-62		* 30.00		325.00 RAA	* 16783	
JAN18-63		* 30.00		295.00 DCA	* 16783	
JAN28-63		* 30.00		265.00 RAA	* 16783	
-6/11/62 C667 Gts Dia Cluster 289.00						
9/15 C66540 - C67540 <i>Expenses</i> Outfit & Screen 179.95						
FEB27-63		* 30.00		235.00 RAA	* 16783	
MAR18-63		* 30.00		205.00 RAA	* 16783	
APR22-63		* 30.00		175.00 RAA	* 16783	
MAY22-63		* 30.00		145.00 RAB	* 16783	
AUG19-63		* 00.00		145.00 RAB	* 16783	
OCT15-63				145.00 RAA	* 16783	
NOV-8-63		* 25.00		120.00 RAA	* 16783	
MAY18-64		* 73.00		47.00 CHA	* 16733	
MAY18-64		* 20.00		27.00 DPA		
MAY18-64		* 167.00		200.00 CHA	* 16733	
MAY18-64		20.00		200.00 DPA		
5/18/64	In			Recorder 59.95 St 3.00		
OCCUPATION <u>Asst.</u> Transportation <u>Solo 0.05</u>						
EMPLOYER	<u>P. C.</u>	<u>8c</u>	ADDRESS <u>US. Ga. Offices in Montgomery</u>			
EMPLOYER	<u>Prev. E. E. C.</u>		ADDRESS <u>Americus, Ga. Ocala, FL</u>			
RELATIVE	<u>Mr. H. M. Shel</u>		ADDRESS <u>Shelton Gro 15th St</u>			
NAME	<u>H. M. McDaniel</u>	<u>or Holt</u>	ADDRESS <u>Alabama</u>			
NAME	<u>3102</u>	<u>do</u>	ADDRESS <u>do</u>			
OWNER	<u>888 Office - 401 Alston Bldg - City</u>					
<u>By: J. R. Martin - Bureau</u>						

ROBERT SHELTON EXHIBIT NO. 10-A—Continued

NAME Shelton, Mrs. Betty (Robert)					ACCT. NO. 247.27	
ADDRESS 1708 15th Street E, City					TERMS 7.00 10th 10/10	
ADDRESS					TERMS	
ADDRESS					TERMS	
ADDRESS					TERMS	
DP:gl					9/65 \$15	

LINE	DATE	DEBIT	CREDIT	BALANCE	ACCOUNT	DATE #	TO	MAIL
SP	SEP 10-65	* 20.08			ChB *24727			
1	SEP 10-65	* 5.00		* 15.08	DPB			
2								
SE	SEP 22-65	* 9.80			ChB *24727			
4	SEP 22-65	* 2.00		* 22.88	DPB			
10/7	OCT-5-65	* 5.00		* 17.88	BAB *24727	OCT-5-65		
6								
7								
8								
9								
10								
11								
12	9/10/65 45-16-71545							
	9/22/65 53-20-7530							
13								
21								
24								

OCCUPATION	United Klan of America	B. T.
EMPLOYER	ADDRESS	
EMPLOYER	ADDRESS	
RELATIVE		
NAME	ADDRESS	
HOLDER	ADDRESS	
CUSTOMER		

21								
22								
23								
24								

REMARKS

I do hereby constitute and appoint my wife as my attorney in fact, for me and my stead, to herein after purchase such merchandise as she may see fit from Luch's Diamond Shop, and to execute for me and in my name a sales contract similar to this one covering such purchase.

Shirley Mrs. Betty Shelton

Mr. APPELL. Mr. Shelton, this analysis of the checks drawn against that account shows that a sum in excess of \$5,600 was drawn to cash, and endorsements on the reverse of those checks show that they were cashed at Piggly-Wiggly Stores, cashed at service stations, and cashed at other places. Can you explain to us the number of checks for cash and why they were all drawn for cash?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, it is the committee's—

The **CHAIRMAN.** Mr. Shelton, why is it, in answer to one or two previous questions you invoked the privilege of the fifth amendment by saying that you relied on the grounds previously stated, and as we now go along you are repeating from the piece of paper you are reading from?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The **CHAIRMAN.** I might say that there are reasons for me to ask that question. I deliberately noticed when you did it.

Proceed.

Mr. APPELL. Mr. Shelton, it is the committee's information that the United Klans of America, Inc., files with the Internal Revenue Service a corporate tax return on a fiscal year basis from July 1 of one year to June 30th of the following year.

It is a fact that on July 29, 1965, you, signing as "President" of the United Klans of America, filed the corporate tax return?

Mr. SHELTON. May I counsel, please?

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, isn't it a fact that on this corporate return you showed income from all sources of \$18,487.60?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Robert Shelton Exhibit No. 11" and retained in committee files.)

Mr. APPELL. Mr. Shelton, an analysis of the United Klan bank account at The First National Bank of Tuscaloosa, which is carried under the name of the Alabama Rescue Service, shows that there were checks written against that account in the amount of \$18,036.95.

Do you mean to tell me that the difference of that, which is approximately \$450, is all of the income that the Klan received in all of its realms? As you told the Internal Revenue agent, as I quoted to

you yesterday, these are just geographical subdivisions, so that any income they had it was your responsibility to report. Do you mean to tell me that their income was only what you report here, the difference of \$450?

Mr. SHELTON. May I counsel?

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, are you acquainted with an organization known as Heritage Enterprises, Inc?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I would like to have entered into the record at this point a certified copy of the Certificate of Incorporation of Heritage Enterprises, Inc.

The CHAIRMAN. It will be admitted into the record at this point. (Document marked "Robert Shelton Exhibit No. 12" and retained in committee files.)

Mr. APPELL. This document, Mr. Chairman, is dated December 5, 1963, and it shows as the officers and directors of the corporation—and I would like to quote from the page that contains this information:

The names and post office addresses of the directors chosen for the first year are as follows:

Name	Address
Robert M. Shelton	1708 East 15th Street, Tuscaloosa, Alabama
William Otto Perkins	Route # 1, Northport, Alabama
Donald E. Luna	4315—51 Avenue North, Birmingham, Alabama
R. J. W. Kimble, Jr.	1309 Panorama Drive Vestavia Hills, Birmingham, Alabama
Calvin Fred Craig	772 Pearce Street S.W., Atlanta, Georgia

Mr. Shelton, isn't it a fact that all of the men whose names I have read to you, with the exception of Mr. Kimble, are members of the Ku Klux Klan?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, under the subscription list of capital stocks of the Heritage Enterprises, Inc., I find the following: Donald E. Luna, 115 shares, \$1,150; R. J. W. Kimble, Jr., 55 shares, \$550; William Otto Perkins, 25 shares, \$250.

I wish to ask you, Is not this a false accounting of shares recorded by the corporation?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by

amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Did you receive a \$150 advance from Mr. Kimble after the advancement of the idea of the Heritage Enterprises, Inc.?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. As a matter of fact, Mr. Shelton, in order to kick off this Heritage Enterprises, Inc., did you not call a klonvokation to be held at the Dinkler-Tutwiler Hotel in Birmingham, Alabama, in February 1964?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I would like to enter into the record at this point copies of three letters, one dated December 31, 1963, addressed to Mr. Don Luna, Suite 401, Alston Building, Tuscaloosa, Alabama; another dated January 3, 1964, to Mr. Luna, at the same address; and a letter dated January 29, 1964, addressed to Mr. Robert [Bob] Shelton at the same address.

These letters are from the Catering Manager of the Dinkler-Tutwiler Hotel in Birmingham, Alabama.

I would like to just quote for the record the first paragraph to the letter to Mr. Shelton dated January 29, 1964:

We are pleased to confirm our Grand Ballroom for your Banquet on February 8th, and your meeting on February 9th.

The CHAIRMAN. The letters will be admitted into the record at this point.

(Documents marked "Robert Shelton Exhibits Nos. 13-A through 13-C," respectively, and retained in committee files.)

Mr. APPELL. Mr. Shelton, as a part of the 2-day meeting, part of which was social and part of which was official Klan business, did you not present to the people assembled, Mr. Kimble, who operated an insurance agency in Bessemer, Alabama, and a man by the name of Harry Richardson, who was representing the Continental Assurance Company, for them to give sales pitches to your assembled delegates in the interest of this policy?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. In connection with your arrangements with Mr. Richardson and the Continental Assurance Company, didn't you sort of become the adviser to him on representatives in each State to handle the health-life policies which were going to be underwritten by the Continental Assurance Company?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I would like to enter into the record at this point a letter dated March 15, 1964, addressed to Mr. Robert Shelton, at 401 Alston Building, Tuscaloosa, Alabama, which, in turn, was forwarded to Mr. Harry Richardson and which contains the following note at the bottom of the original letter: "Write this man a [sic] make Arrangements for meeting with Dr. Edwards to set up Insurance Program for La.," Signed "Bob."

I would like to ask you, sir, is that your signature and your handwriting?

(Document handed to witness.)

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Robert Shelton Exhibit No. 14" appears on p. 1649.)

The CHAIRMAN. Mr. Shelton, I notice that you are wearing a button in your lapel. I would like to give you the privilege of explaining that, if you want to.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, at the February meeting at the Dinkler-Tutwiler Hotel, did you assemble your Grand Dragons from various areas and other delegates to a klonvokation?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, as a matter of fact, because you made the arrangements for the banquet facilities, was your suite of rooms gratis?

Mr. SHELTON. Sir, I decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, the committee subpoenaed from the Dinkler-Tutwiler Hotel all records in their possession with respect to registration of guests. And I have, and would like to enter into the record at this point, the original registration cards of Robert M. Shelton and Raymond R. Anderson—and I ask you, Mr. Shelton, at that time whether he was your Grand Dragon from Tennessee.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I note, Mr. Chairman, that Mr. Anderson's registration includes Mrs., also.

ROBERT SHELTON EXHIBIT No. 14

Jonesboro, Louisiana

March 15, 1964

Mr. Robert Shelton
401 Alston Building
Tuscaloosa, Alabama

Dear Bob,

John Bates and Leamon Hodnett advised me to write to you concerning the possibility of establishing the general agency for the Heritage Insurance Company.

I have been interested in this concern since you mentioned the operation on one of your recent trips to Louisiana. At the present time I am licensed to sell Pan-American and Vulcan lines of ordinary life insurance. I have had some experience in the fire and casualty business when I worked for my father's agency during high school and college.

My regular employment is the Assistant Cashier at the Jackson Parish Bank and I handle the credit life insurance department in addition to other bank duties. The Pan American and Vulcan is my own personal line of insurance.

If it is possible to do so I would like to get together with a representative of the Heritage Insurance Company and see if there is something we can work out in the way of a general agency. I am not experienced in the way of getting state charters and such but I am willing to learn both for the organization and my own benefit.

John tells me that you plan a trip to Louisiana in a couple of weeks or so and if it is possible I would like to see you in connection with this business.

If you should come to Jonesboro and don't find John or Leamon right away call me at the bank phone 3394 or my house 3959.

Sincerely,

David F. Stinson
David F. Stinson

*Write the man a make arrangements
for meeting with Mr. Edwards
to set up a Louisiana program for
the.*

Bob

Mr. and Mrs. C. F. Craig—was C. F. Craig your Grand Dragon for the State of Georgia at that time?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Another original registration at the hotel is J. R. Jones. Is James R. Jones your Grand Dragon from the State of North Carolina?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Another registration for the same dates in February is Mr. and Mrs. R. E. Scoggin. Was R. E. Scoggin your Grand Dragon for South Carolina at that time?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Documents marked "Robert Shelton Exhibits Nos. 15-A through 15-E," respectively, appear on pp. 1651-53.)

Mr. APPELL. On February 11, 1964, did you give to the Dinkler-Tutwiler Hotel a check on the Alabama Rescue Service, No. 379, in the amount of \$996, signed by Robert M. Shelton and cosigned by T. M. Montgomery?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Robert Shelton Exhibit No. 16" appears on p. 1653.)

Mr. APPELL. At the klonvokation that was held there, were not elections held for certain offices on the imperial staff?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Was Mr. Robert Thompson, of Georgia, elected Imperial Klaliff, or vice president, at that meeting?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Was Mr. W. O. Perkins, whom we have just mentioned in connection with the Heritage Enterprises, Inc., papers elected as Kligrapp, or imperial secretary, at that meeting?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

ROBERT SHELTON EXHIBIT No. 15-A

1126 SHELTON ROBERT M 8-84 47825 H 47825

M-W 2/7 TUSC ALA

PLEASE CHECK YOUR BAGGAGE OR SEND SAME TO YOUR ROOM; OTHERWISE THE HOTEL COMPANY WILL NOT BE RESPONSIBLE FOR LOSS.

Dinkler-Tutwiler
DIRECTION
 DINKLER HOTEL CORPORATION
 "DISPENSERS OF TRUE SOUTHERN HOSPITALITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE.

Name *Robert M. Shelton*
 Street *Union St. Ashton Rd. Sae* State *Ala.*
 Firm *Chas. Rescoe* City *Shelton* State
 Room No. *1126* Rate *88¢* Clerk *SMTWTFSS*

ROBERT SHELTON EXHIBIT No. 15-B

952 ANDERSON RAYMOND R 15-60 47940 H 47940
 & WF

F-DA 2/8 MARYVILLE TENN

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Dinkler-Tutwiler
DIRECTION
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Name *Raymond R Anderson*
 Street *Exp 1066* City *Maryville* State *Tenn*
 Firm City State
 Room No. *952* Rate *1.56* Clerk *SMTWTFSS*

1652

ACTIVITIES OF KU KLUX KLAN IN THE U.S.

ROBERT SHELTON EXHIBIT No. 15-C

857 CRAIG C F & WF 9-88 47828

H 47828

M-W 2/7 ATL GA

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Name	Mr & Mrs C F Craig		
Street	774 Peach St	City	Atl
Firm		City	
Room No.	857	Rate	9.88
		Clerk	

SMTWTFS

ROBERT SHELTON EXHIBIT No. 15-D

1104 JONES J R 5-72 47758

H 47758

F-DA 2/7 GRANITE QUARRY N C

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GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE

Name	J R Jones		
Street	Box 221	City	Granite Quarry
Firm		City	
Room No.	1104	Rate	9.75
		Clerk	

SMTWTFS

ROBERT SHELTON EXHIBIT No. 15-E

1057 SCOGGINS R E & AF 9-35
 SPARTANBURG S C 47843
 2/8 RS

H 47843

PLEASE CHECK YOUR BAGGAGE OR SEND SAME TO YOUR ROOM. OTHERWISE THE HOTEL COMPANY WILL NOT BE RESPONSIBLE FOR LOSS

Dinkler-Tutwiler

DIRECTION
 DINKLER HOTEL CORPORATION
 "DISPENSERS OF TRUE SOUTHERN HOSPITALITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES MONEY JEWELRY CLOTHING ETC UNLESS THE SAME ARE DEPOSITED IN SAFE

Name Mr. L. E. Scoggin
 Street 212 Saxon Ave City SPARTANBURG State SC
 Firm Alabama Rice Source State
 Room No. 1057 Rate 9.88 Club SMTWTFSS

ROBERT SHELTON EXHIBIT No. 16



Mr. APPELL. Was Mr. Fredrick Smith elected Imperial Klabe or imperial treasurer at that meeting?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, at the same hotel in September of 1964 did you hold another klonvokation?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I would like to enter into the record at this point a letter dated June 23, 1964, on the letterhead of the United Klans of America, Inc., Suite 401, The Alston Building, Tuscaloosa, Alabama, Office of the Imperial Wizard. [Reads full text of letter.]

The CHAIRMAN. The letter will be received in evidence.

(Letter marked "Robert Shelton Exhibit No. 17" follows:)

ROBERT SHELTON EXHIBIT NO. 17

UNITED KLANS OF AMERICA
INCORPORATED
SUITE 401 THE ALSTON BUILDING
TUSCALOOSA, ALABAMA

OFFICE OF THE IMPERIAL WIZARD

June 23, 1964

Mr. T. Marcel
Catering Manager
Dinkler-Tutwiler
Birmingham, Alabama

Dear Mr. Marcel:

We would like to have a confirmation on the date we previously agreed on February 9th about September 5th and 6th for our banquet and convention.

Please give us a date when we may come and talk to you about the arrangements.

Let us hear from you as soon as possible.

Sincerely,



Robert M. Shelton

RMS:bs

Mr. APPELL. Under the same subpoena of the Dinkler-Tutwiler Hotel we received original copies of hotel registrations and, in the case of this meeting, cards which were printed by the Dinkler-Tutwiler Hotel which were distributed to the United Klans of America for them to make advance reservations.

I would like to enter at this point the original registration of Mr. Robert M. Shelton, which shows the stamped date of September 4, 1964; Mr. Raymond R. Anderson, who, according to the registration form, was accompanied by Mr. Claude L. Abbott, dated September 5, 1964; the original request for a reservation, and I would like, Mr. Chairman, to read this. It is a printed form, printed, as I said earlier, by the Dinkler-Tutwiler Hotel. It states on the top:

"Make Your Hotel Reservations Now!" and there is printed:

"I will be attending the convention of" followed by a blank space, which this card has filled in as the Alabama Rescue Service.

"I will arrive Friday, the 4th [approximately] 11 p.m. I will depart Sunday the 6th [approximately] 5 p.m. Reserve for me the following accommodations: double bedroom," with the typed signature, "J. M. Edwards, 424 6th St., Jonesboro, Louisiana."

I also attach to this as part of the same exhibit the original registration card of Dr. and Mrs. James M. Edwards.

(Documents marked "Robert Shelton Exhibits Nos. 18-A through 18-D," respectively, appear on pp. 1656, 1657.)

Mr. APPELL. I ask if Dr. Edwards is your Grand Dragon for Louisiana.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I feel my answer may tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I would like to enter into evidence a request for—

The CHAIRMAN. Have you already placed the last documents into the record?

Mr. APPELL. Yes, sir.

The CHAIRMAN. Very well.

Mr. APPELL. I would like to enter into evidence at this point, Mr. Chairman, a request for hotel accommodations for the purpose of attending the Alabama Rescue Service, with the indication that the party intended to arrive on August 2 and claims to leave August 5. It is signed by James R. Jones, P. O. Box 321, Granite Quarry, North Carolina.

I have attached as part of the exhibit the original registration of Mr. Jones, which shows that he checked in at 10:28 on September 2, 1964.

Was Mr. Jones in September your Grand Dragon for the State of North Carolina?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Documents marked "Robert Shelton Exhibits Nos. 19-A and 19-B," respectively, appear on p. 1658.)

Mr. APPELL. I would like to enter into the record at this point, Mr. Chairman, a request for hotel accommodations for the purpose of attending the Alabama Rescue Service convention, signed E. L. McDaniel, 2156 Second Street, Natchez, Mississippi, and the original registration card is stamped September 5, 1964.

Was E. L. McDaniel your Grand Dragon for the State of Mississippi at the time he registered in the hotel on September 5?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer right tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Documents marked "Robert Shelton Exhibits Nos. 20-A and 20-B," respectively, appear on p. 1659:)

ROBERT SHELTON EXHIBIT No. 19-A



MAKE YOUR HOTEL RESERVATIONS NOW!

I will be attending the convention of the

ALABAMA RESCUE SERVICE

(name of group or association)

I will arrive (day) Wed. (date) Aug. 2 (hour) _____ m.I will depart (day) SUN. (date) Aug. 5 (hour) _____ m.

Reserve for me the following accommodations . . .

(check one) ☐ single☒ double bedroom☐ twin bedroom☐ suiteYOUR NAME JAMES B. JONESADDRESS P.O. Box 321CITY GRANITE QUARRY, N.C.

ROBERT SHELTON EXHIBIT No. 19-B

440-42 JONES J R & MRS 10-40 65402

H 65402

M-T 9/2 GRANITE QUARRY N C

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Dinkler-Tutwiler

DIRECTION

DINKLER HOTEL CORPORATION

"DISPENSERS OF TRUE SOUTHERN HOSPITALITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE

Name Mrs. Mrs. J R JonesStreet Box 321City Granite Quarry N.C.

Firm _____

City _____

State _____

Room No. 440-42Rate 10.40

Clerk _____

SMTWTFS

ROBERT SHELTON EXHIBIT No. 18-C



MAKE YOUR HOTEL RESERVATIONS NOW!

I will be attending the convention of the . . .

ALABAMA RESCUE SERVICE

(name of group or association)

Fri.I will arrive (day) 4th (date) (hour) 11 p. m.I will depart (day) Sun. (date) 6th (hour) 5 p. m.

Reserve for me the following accommodations . . .

(check one) ☐ single ☒ double bedroom☐ twin bedroom ☐ suiteYOUR NAME J. M. EdwardsADDRESS 424 6th St.CITY Jonesboro, Louisiana

ROBERT SHELTON EXHIBIT No. 18-D

553 EDWARDS DR J M & WF 9-38
JONESBORO LA 65606 1

H 65606

9-4 RS

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Dinkler-Tutwiler

DIRECTION
DINKLER HOTEL CORPORATION
"DISPENSERS OF TRUE SOUTHERN HOSPITALITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE

Name J M Edwards Dr & Mrs.

Street 424 6th City Jonesboro State La.

Firm _____ City _____ State _____

Room No. 653 Rate 9.88 Clerk _____

X M T W T F S

Mr. APPELL. During the business part of this convention, Mr. Shelton, were there additional elections to imperial office of the organization which you call the United Klans of America, Inc., Knights of the Ku Klux Klan, but which is chartered the "Invisible Empire, United Klans, Knights Ku Klux Klan of America, Inc.," additional elections to the imperial staff, imperial offices?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. As a matter of fact, Mr. Shelton, weren't you re-elected at this klonvokation unopposed?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me under amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Was there also elected to the imperial level at this klonvokation as the Klokard Mr. Robert Collins of Birmingham, Alabama?

Mr. SHELTON. May I counsel?

(Witness confers with counsel.)

Mr. SHELTON. Would you repeat the question?

Mr. APPELL. Was Mr. Robert Collins, of Birmingham, Alabama, elected as Klokard?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, it is the committee's information, based on its investigation, that also elected to the imperial staff at that time, and I shall name all of the officers before I ask you the question:

As the Imperial Kludd or chaplain, the Reverend George Dorsett, from North Carolina; as the Imperial Kladd, Mr. Robert Hudgins, of Raleigh, North Carolina; as the Imperial Klarogo or inner guard, Mr. Walter Brown, of Sumter, South Carolina; as the Imperial Klexter, Mr. Robert Korman, of Miami, Florida; as the Imperial Night-Hawk, Dr. Amos Pedigo.

Were those men elected at that klonvokation?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, as a result of a demand by the secretary of state of North Carolina, did you execute on July 2 and file with the secretary of state of North Carolina on July 7 an Application for Certificate of Authority for a foreign corporation to do business in the State of North Carolina?

Mr. SHELTON. May I counsel, please?

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. The form required by the State of North Carolina under section 7 calls for the names and addresses of all of the directors and officers of the corporation.

This application, **Mr. Chairman**, was filed in the name of the "Invisible Empire, United Klans, Knights Ku Klux Klan of America, Inc.," setting forth that it was a Georgia corporation.

The **CHAIRMAN**. Are the officers named?

Mr. APPELL. Yes, they are named.

The **CHAIRMAN**. Name them and ask the question.

Mr. APPELL. The names listed are "Robert M. Shelton, President; Mr. Melvin Sexton, Secretary; Mr. Robert Thompson, Vice-President; Mr. W. O. Perkin,¹ Treasurer."

I would like to ask, due to the fact that your constitution calls for 16 officers, why you did not fully comply with the North Carolina law and set forth all of the officers and directors as this document called for?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. **Mr. Chairman**, I would like to ask that a copy of this certification be made a part of the record at this point.

The **CHAIRMAN**. The document is admitted, but before its admission, the reservations and all previous documents, if they have not already been offered, will be received in evidence as they were respectively referred to.

(Document marked "Robert Shelton Exhibit No. 21" appears on pp. 1662-64.)

Mr. APPELL. **Mr. Shelton**, I note here that **Mr. Melvin Sexton** is listed as secretary, and I also note in the corporate return filed in July of 1965 with the Internal Revenue Service that **Melvin Sexton** signs as secretary.

When and under what circumstances did he replace **Mr. W. O. Perkins** as the **Kligrapp** or secretary of the organization?

Mr. SHELTON. May I counsel?

(Witness confers with counsel.)

Mr. SHELTON. Sir, would you repeat the question, please?

Mr. APPELL. Yes, sir. I said that **Mr. Melvin Sexton** is shown on this document and is also shown on the corporate return filed in July 1965 as secretary.

I would like to know when he replaced **Mr. W. O. Perkins** as secretary, imperial secretary, or Imperial **Kligrapp**.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Did this action happen at the same time **Mr. Perkins** replaced **Mr. Smith** as treasurer?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

¹ Correct name W. O. Perkins.

ROBERT SHELTON EXHIBIT No. 21

JUL 7 1965

T. L. GURE
SECRETARY OF STATE
NORTH CAROLINA

APPLICATION FOR CERTIFICATE OF AUTHORITY

FOREIGN CORPORATION

INVISIBLE EMPIRE, UNITED KLANS, KNIGHTS KU KLUX KLAN OF AMERICA, INC.

(Name of Corporation)

organized and existing under the laws of the State of Georgia hereby making application for authority to transact business in the State of North Carolina, and in compliance with the provisions of Section 55-128 of the General Statutes of North Carolina, makes the following statement:

55A-61

1. The name of the corporation is INVISIBLE EMPIRE, UNITED KLANS, KNIGHTS KU KLUX KLAN OF AMERICA, INC.

2. The corporation was incorporated under the laws of the State of Georgia on the 20 day of February 1961, and is in good standing in its home state. The period of duration of the corporation is Thirty-Five Years

3. The name the corporation elects to use in the State of North Carolina is* INVISIBLE EMPIRE, UNITED KLANS, KNIGHTS KU KLUX KLAN OF AMERICA, INC.

4. The address (including street and number, if any) of the home or principal office of the corporation in the state of incorporation is Suite 401 Alston Bldg., Tuscaloosa, Alabama

5. The address (including street and number, if any) of the proposed registered office of the corporation in the State of North Carolina is P.O. Box 321, Granite Quarry, North Carolina, Rowan County and the name of the proposed registered agent at such address upon whom process may be served is J.R. Jones

6. The purpose or purposes which the corporation proposes to pursue in the transaction of business in the State of North Carolina are:

The general purpose of the corporation shall be to teach patriotism, to support the Constitution and Laws of the United States and the several States wherein said corporation may be established, and to maintain the liberty bequeathed to us by our forefathers, and to preserve the American way of life.

* If the name of the corporation does not contain the word "corporation", "company", "incorporated", or "limited", or an abbreviation of one of such words, insert the name of the corporation with the word or abbreviation which it elects to add thereto for use in the State of North Carolina.

ROBERT SHELTON EXHIBIT No. 21—Continued

7. The names and addresses (including street and number, if any) of all of the directors and officers of the corporation are:

Director	Address
Mr. Robert M. Shelton	Suite 401 Alston Bldg., Tuscaloosa, Ala.
Mr. Melvin Sexton	Suite 401 Alston Bldg., Tuscaloosa, Ala.
Mr. Robert Thompson	Marbleton, Georgia
Mr. W. O. Perkin	17 Lake Sherwood, North Port, Ala.

Officers	Title	Address
Mr. Robert M. Shelton	President	Suite 401 Alston Bldg., Tuscaloosa, Ala.
Mr. Melvin Sexton	Secretary	Suite 401 Alston Bldg., Tuscaloosa, Ala.
Mr. Robert Thompson	Vice-President	Marbleton, Georgia
Mr. W. O. Perkin	Treasurer	17 Lake Sherwood, North Port, Ala.

8. The number of shares which the corporation has authority to issue, itemized by classes, per value of shares, shares without par value, and series, if any, within a class, is as follows:

Number of Shares	Class	Series	Per Value, or Statement that Shares are without par value
------------------	-------	--------	---

N O N E

9. The number of shares actually issued by the corporation, itemized by classes, per value of shares, shares without par value, and series, if any, within a class, is as follows:

Number of Shares	Class	Series	Per Value, or Statement that Shares are without par value
------------------	-------	--------	---

N O N E

10. In consideration of the issuance of a Certificate of Authority to transact business in the State of North Carolina, the corporation hereby appoints the Secretary of State of North Carolina as its agent to receive service of process, notice or demand whenever the corporation fails to appoint or maintain a registered agent in the State of North Carolina, or whenever any such registered agent cannot with reasonable diligence be found at the registered office of the corporation.

ROBERT SHELTON EXHIBIT No. 21—Continued

11. Attached hereto is a copy of the Articles of Incorporation and all amendments thereto, or a copy of the restated, integrated or consolidated charter of the corporation, duly authenticated by the proper officer of the state or country wherein incorporated.

IN TESTIMONY WHEREOF, this statement is signed by the president and Secretary,

this 2nd day of July A.D. 1965

INVISIBLE EMPIRE UNITED KLANS, KNIGHTS KU
KLUX KLAN OF AMERICA, INC.

By Robert M. Shelton
President

~~XX~~

Delvin Sexton
Secretary

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

Robert M. Shelton and Delvin Sexton each

being duly sworn, depose and say that he signed the foregoing "Application for Certificate of Authority" in the capacity indicated, and that the statements therein contained are true and correct.

Sworn to and subscribed before me this 2nd day of July A.D. 1965

Sam M. Clary
Notary Public

State of Alabama at Large.

Mr. APPELL. Mr. Shelton, have you ever had service in the military of the United States?

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I cannot conceive that disclosure as to service to your country can incriminate you. I direct you to answer the question.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, you, according to the military records—Mr. Shelton, after your term of enlistment expired, because of the Korean emergency, all men were frozen in service. Did you request of the Air Force a hardship discharge on the grounds that you had to assist your mother and father in the operation of a grocery store?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me under the—

under the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Isn't it a fact that you were discharged after this plea on July 9, 1951, and returned to your employment with Goodrich Service—or Tire & Rubber Company on August 7?

Mr. SHELTON. Sir, would you repeat that question, please?

Mr. APPELL. Yes. Isn't it true that you were separated from service because of your request for a hardship discharge because of the need to help your parents operate a grocery store on July 9, 1951, and isn't it a further fact that you returned to your employment as a tirebuilder or tireworker at the Goodrich Tire & Rubber Company, Tuscaloosa, Alabama, on August 7, less than 30 days after your discharge?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. And this was when a lot of our boys were losing—

The CHAIRMAN. Proceed with the next question.

Mr. APPELL. Mr. Shelton, are you the holder of a citizens band radio license?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I would like to enter into the record at this point an application for a citizens band license, Class D, signed by Robert M. Shelton, notarized by Alvin B. Sisk, whose name we discussed yesterday in connection with the first signature card of the Alabama Rescue Service.

I would like to read from this form: "How is radio to be used in connection with applicant's business or personal activities?" And there is stated thereunder: "To be used in connection with Emergency rescue activities."

Item 9 is an addendum to the original form. It is amended to read as follows:

This radio equipment is to be used in connection with my personal activities and business. I am in the business of selling two-way radio equipment to customers in this area. I conduct my business under my own name.

There was requested permission to operate six mobile units.

Is that a truthful application, Mr. Shelton?

Mr. SHELTON. Sir, would you repeat that question?

Mr. APPELL. Is that a truthful application?

Mr. SHELTON. Would you repeat the question concerned?

Mr. APPELL. I will show you the document and ask you to look at the entries on it, and answer if the application was truthfully executed.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Robert Shelton Exhibit No. 22" follows:)

ROBERT SHELTON EXHIBIT No. 22

FCC Form 505 September 1958		Form Approved Budget Bureau No. 57-R123-4		(1) Class of station (Check one) A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>		COMMISSION FILE COPY FOR COMMISSION USE ONLY 6 Q 4311 CALL SIGN	
CITIZENS RADIO LICENSE This authorization permits the use only of transmitters which: (1) Are listed under Special Conditions below, (2) appear in the Commission's "Radio Equipment List, Part C", or (3) in the case of Class C or Class D stations, are crystal controlled.							
1. Frequencies Class D Class D		2. Emission 6		3. Station type (Check one) BASE <input type="checkbox"/> MOBILE <input type="checkbox"/> FIXED <input type="checkbox"/>		4. If mobile units, or other class of station at temporary locations, are included in this authorization, show area of operation: Alabama, Georgia, Tennessee, Florida Mississippi, North Car. & South Car.	
5. Name (see instructions) Robert M. Shelton		6. Mailing address (number, street, city, zone, county, state) 1708 E. 15th Street Tuscaloosa, Alabama (Tuscaloosa Co)		7. Location of transmitter(s) at a fixed location DNA		8. Location of control point(s) DNA	
9. City DNA		10. County DNA		11. State DNA		12. Latitude DNA	
13. Longitude DNA		14. Fold here		15. Special Conditions: FOR COMMISSION USE ONLY This authorization is effective August 11, 1961 and will expire 3:00 A. M. EST August 11, 1963 and is subject to further conditions as set forth on reverse side. By direction of the FEDERAL COMMUNICATIONS COMMISSION Acting SECRETARY		16. If you are now authorized to operate the station referred to in this application, give call sign and present frequency, and state why you are filing this application. DNA	
17. State whether applicant is (Check one) Individual <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Association <input type="checkbox"/> Corporation <input type="checkbox"/> Governmental Entity <input type="checkbox"/>		18. If applicant is a corporation or an unincorporated association, item 15 or (item 16, whichever is applicable, on the reverse side of this form must be filled out.)		19. If applicant is a corporation or an unincorporated association, item 15 or (item 16, whichever is applicable, on the reverse side of this form must be filled out.)		20. If applicant is a corporation or an unincorporated association, item 15 or (item 16, whichever is applicable, on the reverse side of this form must be filled out.)	
21. (a) Will applicant own the radio equipment? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If answer is "no", give name of owner		(b) If not the owner of the radio equipment, is applicant a party to a lease or other agreement under which control will be exercised in the same manner as if the equipment were owned by the applicant? YES <input type="checkbox"/> NO <input type="checkbox"/>		(c) Will applicant have unlimited access to the premises (station) and will effective measures be taken to prevent use of the radio equipment by unauthorized persons? YES <input type="checkbox"/> NO <input type="checkbox"/>		22. If for Class C or Class D stations, are transmitters crystal controlled? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
23. How is radio to be used in connection with applicant's business or personal activities? (Use space on the reverse of this page or attach additional sheet if necessary.) To be used in connection Emergency rescue activities		24. If antenna will extend more than 20 feet above ground or more than 20 feet above an existing man-made structure on which it will be mounted, give the following: (a) Distance above ground to antenna feet. (b) Elevation of ground above sea level at antenna site feet. DNA		25. If antenna will extend more than 20 feet above ground or more than 20 feet above an existing man-made structure on which it will be mounted, give the following: (a) Distance above ground to antenna feet. (b) Elevation of ground above sea level at antenna site feet. DNA		26. If antenna will extend more than 20 feet above ground or more than 20 feet above an existing man-made structure on which it will be mounted, give the following: (a) Distance above ground to antenna feet. (b) Elevation of ground above sea level at antenna site feet. DNA	
All the statements made in the application and attached exhibits are considered material representations, and all the exhibits are a material part hereof and are incorporated herein as if set out in full in the application. I certify that I have a current copy of Part 18 of the Commission's Rules governing the Citizens Radio Service. If an individual or partnership applicant, I also certify that I, or each partner, is a citizen of the United States, and is at least eighteen or more years of age (or twelve or more years of age if for Class C). I also certify that I am not (nor is each partner, or each partner, or the association) the representative of any alien or any foreign government, that I waive any claim, title, or right of any particular frequency or of the other as against the regulatory power of the United States because of previous use of the name, whether by license or otherwise, that I accept full responsibility for the operation of, and will retain control of any Citizens Radio Station licensed to me pursuant to this application, in accordance with the law and the Rules of the Federal Communications Commission. I further certify that said station will not be used for any purpose contrary to federal, state or local laws. Subscribed and sworn to before me this 16th day of April, 1961. Notary Public My commission expires 16 August 1962							
SIGNATURE OF APPLICANT (DO NOT WRITE WITH NAME AS SHOWN IN ITEM 5A) Robert M. Shelton							
27. Designate appropriate classification below: Individual Applicant <input checked="" type="checkbox"/> Member of Applicant Partnership <input type="checkbox"/> Officer of Applicant Corporation or Association <input type="checkbox"/> Official of Governmental Entity <input type="checkbox"/>							

ROBERT SHELTON EXHIBIT NO. 22—Continued

FCC Form 730
April 1961UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON 25, D. C.Form Approved
Budget Bureau No. 32-8149

ATTACHMENT TO RESUBMITTED APPLICATION

INSTRUCTIONS TO APPLICANT: According to law all applications must be signed under oath or affirmation before a Notary Public or other official authorized to administer oaths. If you supply any additional information, or make any changes in the application form, you must again swear to it before a Notary Public or other official. This form is for your convenience. After you have made the corrections in the attached returned application, or if you wish, after you have supplied the information called for on any additional sheets of paper you may attach to the returned application form, sign this and check the proper block below before a Notary who will fill in the remaining blanks.

The space below or the reverse side of this sheet may be used for any additional information required to correct the application.

Item 9: is amended to read as follows:

This radio equipment is to be used in connection with my personal activities and business. I am in the business of selling two-way radio equipment to customers in this area. I conduct my business under my own name.

Item 11, is amended to read as follows:

The transmitters that will be used under this license are crystal controlled.

I hereby certify that the information supplied on the attached form or on this and on any additional sheets attached thereto is true and correct to the best of my knowledge and belief.

Robert M. Shelton

APPLICANT (Must agree with name as shown on the application.)

By Robert M. Shelton
(Designate appropriate classification below)
☒ Individual Applicant
☐ Member of Applicant Partnership
☐ Officer of Applicant Corporation or Association
☐ Official of Governmental Entity

Signed, under oath (or affirmation),

before me this 4 day of August 19 61.

Notary Public: Alvin D. Sisk (SEAL)

(or name and title of other person competent to administer oaths)

My commission expires 18 August 1962

The CHAIRMAN. Mr. Shelton, did you ever engage in individual rescue service?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Isn't it a fact that you misstated—to use a harsh word—the purpose of the application just referred to, to your Government, but that this application was to be used, and has in fact been used, in connection with that phony front outfit, the Alabama Rescue Service, which is part of your so-called Invisible Empire operations?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. ASHBROOK. Mr. Chairman?

The CHAIRMAN. Yes.

Mr. ASHBROOK. Many rescue services specialize in pets and animals. Possibly your rescue service directed their attention towards this species. Would that be correct?

Mr. CHALMERS. Mr. Chairman, may I state that I don't see any legislative purpose in answering a question like that.

The CHAIRMAN. That is a proper question. We are probing into whether there was any validity attached to the application in connection with any kind of rescue. I mentioned the human kind, and Mr. Ashbrook referred to other kinds. I think it is a proper question. But we will not prolong it.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, have you and other members of the Klan in the Tuscaloosa, Alabama, area, used these citizens band radios which you have in your possession for the purpose of conducting Klan activities?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me, in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Have you used the citizens band radios for the purpose of intimidating any citizens in the Tuscaloosa, Alabama, area?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, I show you a photograph of yourself seated in front of a typewriter, talking over a piece of radio equipment.

I ask you to examine the photograph, the three pieces of radio equipment shown in the photograph, and I ask you whether or not any of this equipment can be used to monitor police channels.

(Photograph handed to witness.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Photograph marked "Robert Shelton Exhibit No. 23" follows:)

ROBERT SHELTON EXHIBIT No. 23



Robert M. Shelton using short wave radio.

Mr. APPEL. Mr. Shelton, were you ever employed by the Dixie Engineering Corporation of Mobile, Alabama?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The Chairman. Isn't it a fact that you received at least \$4,000 from that corporation and performed no services?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I think I should rephrase the question to come within the exact information of the committee. Isn't it a fact that you received at least \$4,000 from the company named because you knew your way around in Montgomery and because of your ability to exercise political influence?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. And again in fairness, which is not a question but which conforms to the information of the committee, it is my impression, anyway, that the payments were made by a rather unwilling victim of yours.

Mr. SHELTON. May I confer with counsel?

The CHAIRMAN. I didn't ask a question, but if you want to I will put it in the shape of a question.

(Witness confers with counsel.)

Mr. APPELL. Mr. Chairman, I would like to enter into the record at this point original checks payable—some to Robert M. Shelton, some to Robert Shelton, some to R. C. Shelton, and we have testimony that these are all one and the same man, which represent payments to him by the Dixie Engineering Company.

I would like them to be entered into the record at this point.

(Documents marked "Robert Shelton Exhibits Nos. 24-A through 24-H," respectively, appear on pp. 1671-1673.)

Mr. APPELL. I would like to ask you whether or not it is a fact that you failed to report much of this income on your personal income tax return.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. The checks have been received in evidence at the point where they were referred to.

Mr. APPELL. Mr. Shelton, have you an employee in the office by the name of Lewis E. Perkins?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I would like to have entered into the record at this point telephone toll slips which we subpoenaed by a subpoena duces tecum from the telephone company, which shows that the telephone bills to the Alabama Rescue Service are sent care of

ROBERT SHELTON EXHIBIT No. 24-A

 **PINE APPLE, ALA.** *July 14* 19 *63* No. *61-342 621*

BANK OF PINE APPLE
PINE APPLE, ALABAMA

PAY TO THE ORDER OF *Robert M. Shelton* \$ *500*
Five Hundred *00* DOLLARS
Dixie Engineering Corporation of Montgomery
By C. A. Murdock

July

⑆0621⑉0342⑆

ROBERT SHELTON EXHIBIT No. 24-B

SALMA, ALABAMA *Sept 26* 19*63* No. *127* *61-617 621*

CITIZENS BANK & TRUST COMPANY

PAY TO THE ORDER OF *Robert Shelton* \$ *500*
Five Hundred *00* DOLLARS
Dixie Engineering Corporation of Montgomery
By C. A. Murdock

PAYABLE AT PAR

⑆0621⑉0617⑆

ROBERT SHELTON EXHIBIT No. 24-C

MONTGOMERY, ALA. *November 6* 19*63* No. *7* *61-46 621*

Peoples BANK AND TRUST CO.
MONTGOMERY, ALA.

PAY TO THE ORDER OF *R. C. Shelton* \$ *500.00*
Five hundred dollars and no cents DOLLARS
Dixie Engineering Corporation
By C. A. Murdock

⑆0621⑉0617⑆

ROBERT SHELTON EXHIBIT No. 24-D

People's Bank & Trust Co
THE FIRST NATIONAL BANK OF MONTGOMERY
 MONTGOMERY, ALA. *Jan 13 1963* No. *00*
 Pay to the order of *Robert Shelton* \$ *500*
Five Hundred ———— *4 1/10* Dollars
Dixie Engineering Corporation
E. A. Umstead
CO. 235-6
 61-36 621
 106 21 000364

ROBERT SHELTON EXHIBIT No. 24-E

Mobile, Ala. *Jan 8 1964* No. *1406*
THE MERCHANTS NATIONAL BANK
 OF MOBILE
 Pay to the order of *R. C. Shelton* \$ *500*
Five Hundred ———— Dollars
DIXIE ENGINEERING CORPORATION
E. A. Umstead
 61-29 651
 0000050000

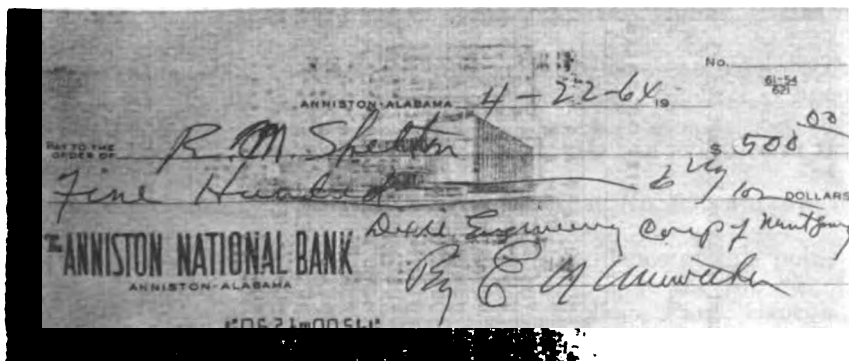
ROBERT SHELTON EXHIBIT No. 24-F

Merchants National Bank
 OF MOBILE
 Mobile, Alabama *Jan 13 1964* No. *1620*
 Pay to the order of *Robert Shelton* \$ *500*
Five Hundred ———— Dollars
DIXIE ENGINEERING CORP.
E. A. Umstead
 61-29 651
 106 51 00294 02 610 11 4991 0000050000

ROBERT SHELTON EXHIBIT No. 24-G



ROBERT SHELTON EXHIBIT No. 24-H



Lewis E. Perkins, Alston Building, Room 401, Tuscaloosa, Alabama.

The CHAIRMAN. The documents will be received in evidence at this point.

(Documents marked "Robert Shelton Exhibit No. 25." One of said toll slips appears on p. 1674; balance retained in committee files.)

Mr. APPELL. Mr. Shelton, when did you first become a member of the Ku Klux Klan?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Is it your position that joining the Klan is something which may result in criminal prosecution?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, from the official court records of the secretary of state, probate courts, the State of Alabama, the com-

ROBERT SHELTON EXHIBIT No. 25

ALA RESCUE SERVICE C/O LEWIS E PERKINS ALSTON BLDG RM 401 TUSCALOOSA AL 35401				205 759 5221 683 MAY 19 1965 TUSC 054		1 20		13 20 28 88		42 08	
DATE	CALL	AMOUNT	LOC	TAX	OF	DATE	CALL	AMOUNT	LOC	TAX	OF
0419	MONTGOMERY ALA	263 2494	263	2494		0419	MONTGOMERY ALA	263 2494	263	2494	
0421	BIRMINGHAM ALA	324 4506	324	4506		0421	BIRMINGHAM ALA	324 4506	324	4506	
0421	TUSCALOOSA ALA	FROM MONTGOMERY ALA	FROM	MONTGOMERY ALA		0421	TUSCALOOSA ALA	FROM MONTGOMERY ALA	FROM	MONTGOMERY ALA	
0422	MONTGOMERY ALA	263 3182	263	3182		0422	MONTGOMERY ALA	263 3182	263	3182	
0427	MONTGOMERY ALA	263 3182	263	3182		0427	MONTGOMERY ALA	263 3182	263	3182	
0429	JONESBORO LA	324 4506	324	4506		0429	JONESBORO LA	324 4506	324	4506	
0430	BIRMINGHAM ALA	FROM TEXARKANA	FROM	TEXARKANA		0430	BIRMINGHAM ALA	FROM TEXARKANA	FROM	TEXARKANA	
0511	MONTGOMERY ALA	263 6853	263	6853		0511	MONTGOMERY ALA	263 6853	263	6853	
0511	MONTGOMERY ALA	263 3182	263	3182		0511	MONTGOMERY ALA	263 3182	263	3182	
0512	BIRMINGHAM ALA	322 7056	322	7056		0512	BIRMINGHAM ALA	322 7056	322	7056	
0514	BESSEMER ALA	428 4739	428	4739		0514	BESSEMER ALA	428 4739	428	4739	
0514	MONTGOMERY ALA	263 6853	263	6853		0514	MONTGOMERY ALA	263 6853	263	6853	
0518	MONTGOMERY ALA	263 3182	263	3182		0518	MONTGOMERY ALA	263 3182	263	3182	

(Broad)

mittee has received certain documents about which I would now like to question Mr. Shelton.

Mr. Shelton, I have a document dated the 10th day of June 1957, signed by "E. L. Edwards As President (Imperial Wizard), Wm. A. Daniel, Sr., As Secretary (Kligrapp)," which notification says that Robert M. Shelton is the agent of the U.S. Klans, Knights of the Ku Klux Klan, Inc., for the State of Alabama.

Is that a factual document, sir?

(Document handed to witness.)

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. On November 4, 1959, were you removed from your office of Grand Dragon by Imperial Wizard E. L. Edwards?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I would like to have entered into the record at this point the document designating Mr. Shelton as agent for the U.S. Klans.

The CHAIRMAN. The document will be received in evidence at this point.

(Document marked "Robert Shelton Exhibit No. 26" appears on p. 1676.)

Mr. APPELL. I would like to introduce in evidence at this point a document of the U.S. Klans, with the heading at the top "E. L. Edwards, Imperial Wizard, P.O. Box 21, College Park, Georgia," addressed to the Secretary of State, State of Alabama, Montgomery, Alabama:

DEAR SIR,

Please be informed that on November 4th, 1959 by orders of the Imperial Wizard (President) that one (Robert M. Shelton, 1708 E. 15th, St. Tuscaloosa, Ala. Was removed from the Office of and as the Agent of the U.S. Klans, Knights of the Ku Klux Klans, Inc. in and for the State of Alabama.

Will you Please remove the above Name from your Files as the Agent of and for the U.S. Klans, Knights of the Ku Klux Klans, Inc,

A replacement will be forthcoming.

Signed "E. L. Edwards, Imperial Wizard."

The CHAIRMAN. The document will be received in evidence.

(Document marked "Robert Shelton Exhibit No. 27.")

Mr. APPELL. I would like to introduce the next document on the same letterhead, also signed by E. L. Edwards, addressed to the Secretary of State, dated November 25, 1959:

Dear Sir,

Please be informed that after careful consideration, we are now re-instating [sic] Robert M. Shelton, 1708 E. 15th, St. Tuscaloosa, Alabama, as the Agent for the U.S. Klans, Knights of the Ku Klux Klans, Inc. in the State of Alabama.

The CHAIRMAN. That will be received in evidence.

(Document marked "Robert Shelton Exhibit No. 28.")

ROBERT SHELTON EXHIBIT No. 26

"Office of U. S. Klans, Knight Of The Ku Klux Klan, Inc."

Located at Atlanta, Fulton County, Georgia.

In compliance with the provisions of Title 10, Section 192, et sequ. of the 1940 Code of Alabama, and Section 232 of the Constitution of Alabama, 1901, U. S. Klans, Knights of the Ku Klux Klan, a corporation or association organized under the laws of the State of Georgia, and having its principal place of business, in the City of Atlanta, State of Georgia, herewith files a certified copy of its Articles of Incorporation or Association under the laws of said State of Georgia and designates as its known place of business in the State of Alabama 1708 East 15th Street, in the City of Tuscaloosa, County of Tuscaloosa, and as its authorized agent thereat, Robert M. Shelton, on whom, as such agent, service of process may be made and all legal notices served for all the purposes contemplated by the laws of the State of Alabama.

IN WITNESS WHEREOF, the said corporation has caused these presents to be signed by its President and Secretary, and attested by its corporate seal, at its office in Atlanta, Georgia, this the 10 day of June, 1957.

E. L. Edwards As President (IMPERIAL WIZZARD

Wm. R. Gammell As Secretary (KLIGRAPP

RECEIVED

JUN 14 1957

SECRETARY OF
STATE

Mr. APPELL. I would like to enter into evidence at this point, Mr. Chairman, an additional document, a form dated the 25th day of November 1959, a certificate designating agent, place of business in Alabama, which reads as follows:

In compliance with provisions of Section 192, Title 10, of the Code of Alabama 1940, and Section 232 of the Constitution of Alabama 1901, U.S. Klans, Knights of the Ku Klux Klan, Inc. a corporation or association organized under the laws of the State of Georgia and having its principal place of business at 508 Anderson Street, in the City of College Park, State of Georgia * * * designates as its known place of business in the State of Alabama, 1708 15th Street in the city of Tuscaloosa, County of ———, and as its authorized agent thereat, Robert M. Shelton * * *.

Signed "E. L. Edwards," 25 November 1959.

The CHAIRMAN. The document will be received in evidence at this point.

(Document marked "Robert Shelton Exhibit No. 29.")

Mr. APPELL. The next document, Mr. Chairman, is a change of designation of agent and it replaces Mr. Robert M. Shelton as Grand Dragon by Mr. Alvin "Horne."

The CHAIRMAN. That will be received in evidence.

(Document marked "Robert Shelton Exhibit No. 30." Exhibits Nos. 27-30 appear on pp. 1678-1681.)

Mr. APPELL. The date of that document, Mr. Chairman, is April 11, 1960.

Mr. Shelton, what brought about this removal of you as Grand Dragon for the U.S. Klans in the State of Alabama?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, the press of that day, the *Montgomery Advertiser* of May 30, 1960, says "Robert M. Shelton, Tuscaloosa"——

The CHAIRMAN. You are referring to a period before the creation of the United Klans of America; are you not?

Mr. APPELL. Yes, sir.

I will have to start againn, Mr. Chairman. [Continues reading:]

Robert M. (Bobby) Shelton of Tuscaloosa has been ousted as Grand Dragon of the Alabama Ku Klux Klan and replaced by a former Dragon, Alvin Horn of Rt. 4, Talladega.

The story goes on to quote Mr. Shelton as follows:

"Edwards has replaced me (with Horn) as Grand Dragon." He said he was notified of the change "about a week ago."

The ousted Klan leader said he and Edwards "had some differences of opinion about policies and procedure."

"I am organizing an independent group here in Alabama," he said——

The CHAIRMAN. Those are the words of Shelton?

Mr. APPELL. This is a quote of Shelton; yes, sir. [Continues reading.]

"I would say about 70 per cent of the members of the old group have already joined the new Klan."

As to the reasons that you were replaced as quoted in this article, Mr. Shelton, are they factual?

ROBERT SHELTON EXHIBIT No. 27

E. L. Edwards
Imperial Wizard

P. O. BOX 21
College Park, Georgia

In God We Trust



U. S. KLANS INC.

NOV, 5, 1959

"We fight not for glory nor for wealth nor for power, but only and alone for freedom, which no good man surrenders but with his life.—SOUTHERN CLANS, 1929

"Through these portals do membership pass the future guardians of American Liberty and Security."

SECRETARY OF STATE
STATE OF ALABAMA
MONTGOMERY ALABAMA.

DEAR SIR,

Please be informed that on November 4th, 1959 by orders of the Imperial Wizard (President) that one (Robert M. Shelton 1703 3, 15th, ST. Tuscaloosa Ala. Was removed from the Office of and as the Agent of the U. S. Klans, Knights of the Ku Klux Klans Inc. in and for the State of Alabama,

Will you Please remove the above Name from your Files as the Agent of and for the U. S. Klans, Knights of the Ku Klux Klans Inc,

A replacment will be forth coming.

E. L. Edwards
E. L. EDWARDS, IMPERIAL WIZARD.
(PRESIDENT) U. S. KLANS,
KNIGHTS of the KU KLUX KLANS INC.

SEAL

RECEIVED

NOV 6 1959

SECRETARY OF
STATE

ROBERT SHELTON EXHIBIT No. 28

E. L. Edwards
Imperial Wizard

P. O. BOX 21
College Park, Georgia

In God We Trust



U. S. KLANS, INC.

"We fight not for glory nor for wealth nor for honor, but only and alone for freedom, which no good man surrenders but with his life.—Sovereign Klan, 1899"

NOV, 25 1959

"Through these portals do membership pass the future guardians of American Liberty and Security."

Secretary of State
State of Alabama.

Dear Sir,

Please be informed that after careful consideration, we are now re-instating Robert L. Shelton, 1708, E, 15th, St. Tuscaloosa, Alabama, as the Agent for the U.S. Klans, Knights of the Ku Klux Klan Inc. in the State of Alabama.

RECEIVED

NOV 30 1959

SECRETARY OF
STATE

E. L. Edwards
E. L. EDWARDS, IMPERIAL WIZARD
U. S. KLANS, KNIGHTS of the
KU KLUX KLAN, INC.

3AL

ROBERT SHELTON EXHIBIT No. 29

CERTIFICATE DESIGNATING AGENT AND PLACE OF BUSINESS IN ALABAMA FOR
FILING IN OFFICE OF SECRETARY OF STATE OF ALABAMA

OFFICE OF U. S. Klans, Knights of the Ku Klux Klan, Inc
 LOCATED AT 1708 15th Street
Tuscaloosa, Alabama

In compliance with provisions of Section 192, Title 10, of the Code of Alabama 1940, and Section 232 of the Constitution of Alabama, 1901,

U. S. Klans, Knights of the Ku Klux Klan, Inc
 a corporation or association organized under the laws of the State of Georgia
 and having its principal place of business at 508 Anderson Street.
 in the City of College Park State of Georgia
~~herewith files a certified copy of its articles of incorporation or association under the laws of said~~
 State of _____ and designates as its known place of business in the State
 of Alabama, 1708 15th Street in the city of Tuscaloosa.
 County of _____, and as its authorized agent thereat, Robert M. Shelton
 _____ on whom, as said agent, service of process may be
 made and all legal notices served, for all the purposes contemplated by the laws of the State of
 Alabama.

IN WITNESS WHEREOF, the said corporation or association has caused these presents to be
 signed by its President and Secretary, and attested by its corporate
 seal, at its office in Atlanta, Georgia

this 25 day of November, 1959

D. L. Edmunds President.
Wm. A. Hamilton Secretary.

NOTE.—The fee for filing above certificate is \$10.00, as provided in Section 192 of Title 10 of the Code.

RECEIVED

NOV 30 1959

SECRETARY OF
STATE

ROBERT SHELTON EXHIBIT No. 30

CERTIFICATE DESIGNATING AGENT AND PLACE OF BUSINESS IN ALABAMA FOR
FILING IN OFFICE OF SECRETARY OF STATE OF ALABAMAOffice of U. S. PLANT, INC. 1102 WEST 10TH STREET, INC.Located at ATLANTA, GEORGIA

In compliance with provisions of Section 192, Title 10, of the Code of Alabama 1940, and Section 232 of the Constitution of Alabama, 1901,

a corporation or association organized under the laws of the State of GEORGIA
and having its principal place of business at ATLANTA, GEORGIA PO BOX 21
in the City of CHICKEN HARK State of GEORGIA
hereby files a certified copy of its articles of incorporation or association under the laws of said
State of ALABAMA and designates as its known place of business in the State
of Alabama, ROUTE 4 in the city of TALLADEGA
County of TALLADEGA, and as its authorized agent thereat, ALVIN HORNE
on whom, as said agent, service of process may be
made and all legal notices served, for all the purposes contemplated by the laws of the State of
Alabama.

IN WITNESS WHEREOF, the said corporation or association has caused these

signed by its President and Secretary, and attested by its corporate
seal, at its office in ATLANTA, GEORGIA

this 11 day of APRIL 1960

E. L. Edwards

President.

Wm. C. Daniel Jr.

Secretary.

NOTE.—The fee for filing above certificate is \$10.00, as provided in Section 192 of Title 10 of the Code.

PLEASE REMOVE THE NAME OF
ROBERT M. SHELTON
1708 EAST 15th St.
Tuscaloosa, Alabama

RECEIVED

APR 12 1960

SECRETARY OF
STATE

CHANGED TO:

ALVIN HORNE

ROUTE 4

TALLADEGA, ALABAMA

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Shelton Exhibit No. 31," follows:)

ROBERT SHELTON EXHIBIT NO. 31
(Montgomery Advertiser, May 30, 1960)

Page 6A.)

133rd Year—No. 104

Klan Names

Horn Chief,

Shelton Out

Ex-Grand Dragon

Claims 70 Per Cent

Switch To New Group

Robert M. (Bobby) Shelton of Tuscaloosa has been ousted as Grand Dragon of the Alabama Ku Klux Klan and replaced by a former Dragon, Alvin Horn of Rt. 4, Talladega.

Shelton has begun organizing an "Independent" Klan group as a result and claims about 70 per cent membership switchover to his camp.

These developments came to light Friday through records of the secretary of state where official papers of the KKK incorporation are on file.

NEW AGENT

Secretary of State Betty Frink was notified April 11 that Horn "had been appointed the new "authorized agent" of the Klan for Alabama. The change was announced in a letter from E. L. Edwards, Atlanta, Ga., Imperial Wizard of the U.S. Klans, Knights of the Ku Klux Klan, Inc. State law requires the listing of "authorized agents" for foreign corporations doing business in Alabama.

Although Edwards' letter did not state that Shelton had been removed as Grand Dragon, it said he was removed as authorized agent.

Shelton, contacted in Tuscaloosa, said:

"Edwards has replaced me (with Horn) as Grand Dragon." He said he was notified of the change "about a week ago."

INDEPENDENT GROUP

The ousted Klan leader said he and Edwards "had some differences of opinion about policies and procedure."

"I am organizing an independent group here in Alabama," he said. "I would say about 70 per cent of the members of the old group have already joined the new Klan."

Although the Shelton Klan group hasn't been named formally, he said it would be "the Ku Klux Klan — we can use that name; it's not copyrighted."

As to the difference between the two Klans, Shelton said of his group, "The leader won't have so much dictatorial powers — that's how Edwards runs his."

Asked if he thought he had been removed for personal reasons, Shelton replied, "I wouldn't want to comment on that."

NO SUBSTITUTE

Edwards was not available for comment in Atlanta.

The Secretary of State received a letter dated Nov. 4, 1959, from Edwards instructing that Shelton's name be removed as "authorized agent" for the U.S. Klans. No substitute was named then.

Later, Edwards wrote Mrs. Frink that Shelton was to be re-instated. Then on April 11, he wrote a third letter authorizing Horn as agent in place of Shelton.

Horn, a 44-year-old Baptist minister, could not be located through Talladega and Clay Counties (See KLAN, Page 6A)

Klan

(Continued From Page 1)

ty sources. It was reported he recently had moved but his whereabouts were not known by relatives.

UNFAVORABLE PUBLICITY

Horn had served as Grand Dragon of the KKK in Alabama but resigned in 1957 after unfavorable publicity stemming from his marriage to a 15-year-old girl. Shelton was his successor.

The clergyman was indicted on a murder charge in 1959 following the night rider slaying of Charles Hurst, Pell City. Hurst was shot down shortly after telling his son he thought the Klan was after him. The charge against Horn was dismissed in October, 1962.

Shelton's active role in the 1958 gubernatorial campaign in behalf of John Patterson was his considerable statewide attention. More recently he charged that his KKK activities had cost him his long-time job with the B. F. Goodrich Tire and Rubber Co.,

Mr. APPELL. Mr. Shelton, the committee's investigation established that in the days of the U.S. Klans, that the Klans and Klaverns forwarded their money to the Grand Dragon, who took out of the entire package his share and then forwarded to the imperial office, the imperial office share.

Is it a fact that you were removed because you weren't making a proper accounting of funds to the imperial staff?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Appell, you asked him, "Is it a fact?" The form of the question might be misconstrued. I think you can phrase it this way, that it is the committee's information that it is a fact, and does he wish to affirm or deny it.

Mr. APPELL. Will you answer the question?

Mr. SHELTON. Sir, will you rephrase the question or repeat it?

The CHAIRMAN. It is the committee's information that you were replaced because of financial reasons. Is that true or not? Is our information true or not?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. It is the committee's further information, Mr. Shelton, that you were ordered to appear before an Imperial Klouncilium and to produce the books and records of your realm and that you failed to do so.

Is this information that the committee has obtained true or false?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, the staff has no further questions of Mr. Shelton—pardon me, sir, I do have.

Mr. Shelton, the committee has obtained from the State of Alabama a Certificate of Incorporation dated May 17, 1960—16 days after the notice of Imperial Wizard Edwards that he had removed you—of the incorporation of the Alabama Knights, Knights of the Ku Klux Klan, Inc.

This document shows that the incorporators, trustees, and addresses are as follows: Robert M. Shelton, 1708 East 15th Street, Tuscaloosa, Alabama; H. M. Shelton, 1700 East 15th Street, Tuscaloosa, Alabama; and James Elmore, 2920 Birmingham Highway, Tuscaloosa, Alabama.

Did you participate in the incorporation of the Alabama Knights of the Ku Klux Klan, Inc.?

Mr. SHELTON. Sir, could I counsel?

The CHAIRMAN. Yes.

Mr. SHELTON. Sir, could I ask that the document you are referring to be read, in order to determine?

The CHAIRMAN. Hand it to him.

(Document handed to witness.)

The CHAIRMAN. You understand that we will then question you. If you want to read it, read it. You may read it out loud, and then we will question you.

(Witness confers with counsel.)

Mr. SHELTON [returning document]. Thank you, sir.

(Document marked "Robert Shelton Exhibit No. 32" and retained in committee files.)

Mr. APPELL. Mr. Chairman, there is a great deal more material that the staff intends to interrogate Mr. Shelton about. However, from this phase of the inquiry I ask that Mr. Shelton be excused as a witness, to return on November 15.

The CHAIRMAN. Before ruling on that, the Chair wishes to say this: I invite your attention, Mr. Shelton, to what I am about to say.

Yesterday you refused to produce documents called for by a subpoena duces tecum served on you on October 11 of this year. You were in the hearing room for the greater part of my opening statement as I read it. You did come in a few minutes late.

A copy of the opening statement was handed to you and your attorney.

That is true, is it not?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Counsel, I am directing my question to you. That is true, is it not?

Mr. CHALMERS. Yes, sir; for the record.

The CHAIRMAN. You were observed reading the statement, and it is my understanding that both you and your counsel not only read the statement but, I assume, but that you carried it with you.

My opening statement spelled out with indisputable clarity, I believe, the things the subcommittee desires to know, the information that it wishes to place on this record to assist the Congress in the enactment of remedial legislation. Those things were specified in paragraph 4, page 2, of my opening statement, describing the purposes of these hearings, and so on.

I don't see, and the committee members do not see, how anyone could argue, after reading the committee resolution of March 30, contained on page 1 of the statement, and House Resolution 310 specifically authorizing this investigation, copies of which, by the way, were given you and your attorney by the staff the day before yesterday, and my opening statement—we say no one could argue, after reading the documents and the records, that papers and documents pertaining to the structure and organization, incorporation, finances, corporate tax returns, and so forth, of each and every Klan organization are not pertinent to this inquiry.

I am saying I don't see how anyone can so argue, that these things are not pertinent to this inquiry. The first full paragraph of the attachment to the subpoena served upon you called on you to produce certain records and documents as an official and representative of the United Klans of America, Inc., Knights of the Ku Klux Klan, the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., the Alabama Rescue Service, the Whiteman's Defense Fund, and the United Klansmen of America.

I want to clarify just this one point: Did you and your attorney know the contents of my opening statement at the time you were on the witness stand and refused to produce these documents?

I further want to warn you that unless your answer to this question is that you did not know the contents of this opening statement, your course of action yesterday is completely without legal justification and may result in a contempt citation.

So I again ask: Did you and your attorney know the contents of my opening statement at the time you were on the stand and refused to produce those documents?

Mr. SHELTON. Sir, could I counsel?

The CHAIRMAN. Yes. This is a legal question. I think you ought to.

Mr. CHALMERS. May I state this to the chairman and to the other members of the committee: At the time answers were given yesterday afternoon I myself had not fully read the opening statement of the chairman of the committee.

I, of course, cannot answer for my client. But it is my information, if I may state it, that I doubt very seriously if he read the statement fully.

The CHAIRMAN. The question is not did you read it, necessarily. Did you know, from hearing me read the statement, the contents of my opening statement, before he took the witness stand?

Mr. CHALMERS. No, sir; not fully and completely, I did not.

The CHAIRMAN. Then I will give the benefit of the doubt to your client.

Do you wish 5 minutes' or 10 minutes' recess to read it now?

Mr. CHALMERS. I would like about a 10-minute recess to confer with my client, if it would be permissible.

The CHAIRMAN. That request is granted.

I now hand each of you a copy of my opening statement.

Mr. CHALMERS. May I state to the chairman I have a copy in my files.

The CHAIRMAN. All right.

The committee is now in recess for 10 minutes. I wish that order be maintained during the recess.

(Whereupon, at 11:40 a.m. the subcommittee recessed. All subcommittee members present at time of recess.)

(The subcommittee reconvened at 11:47 a.m. with all subcommittee members present.)

The CHAIRMAN. The subcommittee will come to order.

The equipment of the press, TV, and radio will be removed.

Let the record show that the committee stood in recess for approximately 10 minutes to give Mr. Shelton and his counsel the opportunity to read and familiarize themselves in greater detail concerning my opening statement, particularly the part I referred to a moment ago, paragraph 4 on page 2.

I take it, Mr. Chalmers, that you have had that opportunity?

Mr. CHALMERS. That is correct; yes.

The CHAIRMAN. By the way, Mr. Chalmers, I want to compliment you for your demeanor before this committee. I think you deserve it.

Mr. CHALMERS. Thank you, sir.

The CHAIRMAN. In view of that, namely, that both counsel and his client now concede, admit for clarity, that they are familiar with my opening statement, which spells out the purposes of these hearings, and on the basis of which I ruled on the pertinency of the documents referred to in the subpoena, I wish, nevertheless, Mr. Shelton, to ask you four questions, or make four directions.

I now order and direct you to produce the documents referred to in the first paragraph of the attachment to the subpoena dated October 7, 1965, and according to the marshal's return served on you on October 11.

Mr. SHELTON. May I counsel?

(Witness confers with counsel.)

Mr. SHELTON. Sir, is this question directed to me as an individual or directed to me as an officer of a corporation?

The CHAIRMAN. I covered that in my statement of a while ago, but I will repeat it.

The subpoena which was served on you called on you to produce certain documents as an official and representative of the United Klans of America, Inc., Knights of the Ku Klux Klan, the Invisible Empire, United Klans, Knights of the Ku Klux Klans of America, Inc., the Alabama Rescue Service, the Whiteman's Defense Fund, and the United Klansmen of America.

So that is the capacity, as an officer and as an Imperial Wizard and as a representative of these organizations.

(Witness confers with counsel.)

Mr. SHELTON. Sir, I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 7, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, of House Resolution 8, adopted January 4, 1965.

I respectfully decline to turn over these documents in question for the reason that I honestly feel that by doing so it might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I now order and direct you to produce the documents called for in paragraph 2 of the attachment to the same subpoena.

Mr. SHELTON. Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 7, 1965, for that information is not relevant and germane to the subject under investigation and the same will not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to turn over these documents for the reason that I honestly feel that by doing so it might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I now order and direct you to produce the documents referred to in paragraph 3 of the attachment to that subpoena.

Mr. SHELTON. Sir, I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 7, 1965, for that information is not relevant—
(Witness confers with counsel.)

Mr. SHELTON. —is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to turn over these documents in question for the reason that I honestly feel my answer might tend to incriminate me—the documents might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I order and direct you to produce the documents referred to in paragraph 4 of the attachment to the subpoena referred to.

Mr. SHELTON. Sir, I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 7, 1965, for that information is not relevant or germane to the subject under investigation and the same will not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to turn any records over to this committee for the reason that I honestly feel that by doing so it might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Do you understand that the orders I made on you to produce all these documents, including those in paragraph 4, were addressed to you in your representative capacities as I indicated?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I wish to say, and I assume counsel agrees, that the committee rejects your reasons for not producing these documents.

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Shelton, yesterday I referred to a memorandum dated October 14, 1965, made by our investigator, Mr. Louis Russell, and I referred to and asked you about certain things you said to him on that day in the Hotel Stafford in Tuscaloosa.

Now I ask you this: Our investigator, Mr. Louis Russell, said that on that day, in that hotel, you said this:

He [Shelton] said that he would bring about the defeat of Chairman Willis in Louisiana, and that the Chairman would be besieged by telephone calls before the hearing began.

Mr. Russell further stated :

He [Shelton] claimed to have a book on every member of the Committee and said that Congressman Weltner was tied in with the Communists and that President Johnson got his first political job from Aubrey Williams.

Did he tell the truth or did he falsify?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Let me say that, so far as I am concerned, I not only welcome, but challenge and dare you to come in my congressional district and fight me politically.

Mr. WELTNER. Mr. Chairman—

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. Mr. Shelton, I have not asked you any questions thus far. I had hoped that you would cooperate with this committee, and I am disappointed that you have not done so. I do not criticize you for claiming any right that you have under the Constitution. That is your right as an American citizen, and I have no quarrel with you or any other American citizen for exercising any right guaranteed by the Constitution.

I don't have any questions, but I do have this comment: It seems to me that you obviously have the ability to organize and that you have proved some qualities of leadership and you have shown energy in your tasks.

I submit that it is unfortunate for our section of the country, yours and mine, that your leadership and ability and energy have been given over to dividing Southern people rather than uniting them.

Mr. Chairman, I have no further comment and no questions.

The CHAIRMAN. Mr. Buchanan.

Mr. BUCHANAN. Mr. Chairman, unless my eyes deceived me during the recess, the witness was speaking very freely to the press. And unless the reports are inaccurate, I understand he has spoken rather freely in various places concerning the fact that he would welcome this investigation. I wonder, therefore, if we might have better results if we conducted this investigation in a cornfield and let the press interrogate him.

However, I would say what you said at the outset, Mr. Chairman, and I would ask the chairman and counsel to correct me if I am in error on this point:

I think your counsel has advised you well and I will not argue with your right, of course, to invoke the fifth amendment. I would say, however, that evidence has been offered here before this committee concerning your use of certain funds, the alleged signing of checks to some \$5,600 cash, the manner in which they were countersigned, the purchase of an automobile, diamonds purchased, and this sort of thing, evidence of an ouster from the U.S. Klans with financial questions surrounding it, evidence concerning your military record and circumstances and time at which it came to an end.

I would say that, as I said before this hearing began, he that has nothing to hide has nothing to fear. We are not in the business of prosecuting or convicting, but we are here to get the facts and know

the truth. We are, I think you can see, with or without your cooperation, producing evidence in this hearing. We are going to continue this investigation and this hearing. Evidence will be produced.

While I am not going to make any inferences from the numerous times that you have invoked the fifth amendment, I will simply say this: that for those who have eyes to see and ears to hear, it may well prove that the record in your case will speak very clearly for itself, Mr. Shelton.

Mr. SHELTON. Thank you sir.

The CHAIRMAN. I understand that Mr. Appell has another question he overlooked asking.

Mr. APPELL. Mr. Chairman, I have two very short and simple questions.

Mr. Shelton, in connection with your being on the payroll of the Dixie Engineering Company, it is the committee's understanding that during an investigation by the Federal Public Roads Administration or Bureau, you were questioned by agents of the United States Government with respect to your being on the payroll of the Dixie Engineering Corporation and that you refused to answer the Federal Bureau's agent's questions. Is this true, sir?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, the committee, during its many months attending Klan rallies and other things, has noted with great interest the ability of the Klan to collect large sums of money in cash at these rallies.

What percentage of the take of the rallies that you have attended has come into your hands in the form of cash?

Mr. SHELTON. Sir, would you repeat that question, please?

Mr. APPELL. Yes, sir. We have observed at numerous rallies that collections are taken up in the form of cash collections and that these collections, at different times and at different rallies, have reached considerable sums, in the hundreds of dollars.

I am asking you what part of this money collected at these rallies has been turned over to you.

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Shelton, the committee also subpoenaed from The First National Bank of Tuscaloosa, Alabama, your personal bank account. And the ledger sheet of this account, together with a deposit slip dated November 2, 1964, shows that there was deposited in the form of checks, although the checks are not enumerated—it could be one or it could be more—\$2,125.

Was that money, money which you had received in the form of an imperial tax from Klans throughout the United States?

Mr. SHELTON. Sir, would you repeat that question, please?

Mr. APPELL. Yes, sir. Was this deposit of \$2,125 deposited to your personal account on November 2, 1964, money which was received by

you as imperial tax from the Klans or Klaverns located throughout the United States?

Mr. SHELTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Bank account records marked "Robert Shelton Exhibit No. 33" and retained in committee files.)

Mr. APPELL. Mr. Chairman, the staff has no further questions, and I ask that Mr. Shelton—

The CHAIRMAN. Wait a moment.

I wish to reiterate and to stress what I said two or three times in my opening statement: that whatever has been said here by anyone about your right, Mr. Shelton, to invoke the privileges of the fifth amendment should not be considered as relating to the rulings I have made as chairman, and on this I also reiterate and stress that the committee here is in unanimous agreement.

Mr. ASHBROOK. Mr. Chairman, I would like the record to show specifically that this is the understanding of the committee. By no statements made has there been any waiver. As one member of the committee, I confirm what you have said and what the record will so show.

Mr. CHAIRMAN. I am sure that all the members would feel the same.

Mr. WELTNER. Subject to the reservation of personal satisfaction as to the application of the law.

Mr. BUCHANAN. Mr. Chairman, I confirm without reservation what you have said, sir.

The CHAIRMAN. Mr. Ichord?

Mr. ICHORD. Mr. Chairman, in that connection I would like to state that I have attended most of these proceedings as an interested member of the full committee and of the Congress. Of course, the purpose of these hearings is to develop information concerning the activities of the Klan and to develop information that would serve as a basis for the Congress making a decision as to whether legislation is needed to curb the activities of the Klan, or what kind of legislation is needed.

This, Mr. Chairman, is the first time during my service on the committee that we have had witnesses before the committee to be questioned about their activities with organizations other than Communist organizations, Communist fronts and similar extremist organizations.

I wanted to make note of the fact, Mr. Chairman, that the attorney for Mr. Shelton has carried out his duties in a very commendable way. I have observed that he has fully advised his client as to his constitutional rights.

You have done it in a way that is commendable and in a way that contrasts pleasantly with the way that some of the lawyers have advised witnesses in Communist investigations conducted by this committee. Unfortunately, Mr. Shelton has not chosen to give us any information concerning the activities of the Klan except his name, his birth place, and his age. I regret that fact, but that is his constitutional right.

Sir, I do commend you on the way you carried out your duties as his attorney.

Mr. WELTNER. Mr. Chairman, may I also, following Mr. Ichord's comments, point out that this hearing has been conducted without the

protests and demonstrations that have occurred within and without hearings of this committee in the past. I recall quite well the difficult task that befell our distinguished chairman in Chicago in the effort to maintain order and dignity in the proceedings.

Perhaps the absence of protests or demonstrators to this proceeding casts some light on the validity and sincerity of those protests when they do occur.

Mr. POOL. Mr. Chairman, I want to add my support to the chairman on the rulings he has made, and I want to point that out for the record.

The CHAIRMAN. Thank you very much.

I simply express the hope that as we go along we will proceed with equal decorum and dignity.

Mr. Shelton, your subpoena is continued. That is, you remain under subpoena until November 15. We will be calling you again and will be questioning you on a variety of areas of your and your organization's activities.¹

The committee will stand in recess until 1:45.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan.)

(Whereupon, at 12:15 p.m., Wednesday, October 20, 1965, the subcommittee recessed, to reconvene at 1:45 p.m. the same day.)

AFTERNOON SESSION—WEDNESDAY, OCTOBER 20, 1965

(The subcommittee reconvened at 2 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present at time of reconvening: Representatives Willis, Pool, and Ashbrook.)

The CHAIRMAN. The subcommittee will please come to order.

Mr. Appell, call your next witness.

Mr. APPELL. Mr. James R. Jones.

I am sorry. Pardon me, Mr. Chairman.

Mr. Jones, you are not going to be called at this time.

Mr. Chairman, I would like to call Mr. Philip R. Manuel, a member of the investigative staff of the committee.

The CHAIRMAN. Let the Chair say this: that Mr. Shelton was questioned at some length concerning certain financial transactions and he chose to invoke the fifth amendment. All witnesses may as well know that this procedure is not going to deter us from putting the facts on the line.

Most of the questions asked of Mr. Shelton were supported by introduction of documentary evidence, checks and other documents. And, of course, there can be no stronger evidence than written documents which really speak even more accurately than words. But in certain phases of Mr. Shelton's testimony we will bring out affirmative evidence because he forces us to do it.

Proceed.

Mr. Manuel has been sworn, but this will be a new phase.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MANUEL. I do.

¹ Mr. Shelton was not recalled, and on January 6, 1966, was discharged from further appearance under his subpoena.

TESTIMONY OF PHILIP R. MANUEL—Resumed

Mr. APPELL. For the record, state your full name, sir.

Mr. MANUEL. Philip R. Manuel.

Mr. APPELL. And you are a member of the investigative staff of the Committee on Un-American Activities?

Mr. MANUEL. That is correct.

Mr. APPELL. In the course of the current investigation, did the staff establish that tax and dues payable to United Klans of America from its Klans or Klaverns located throughout the United States were deposited into the account known as the Alabama Rescue Service?

Mr. MANUEL. Yes; that is correct.

Mr. APPELL. What documentation establishes this as a fact?

Mr. MANUEL. Well, the committee has established that most of the checks drawn by Klans or Klaverns of the United Klans are made payable to the Alabama Rescue Service and, further, the Alabama Rescue Service account at The First National Bank in Tuscaloosa, Alabama.

For documentation of this, I wish to present several checks, out of many, which the committee has in its possession, all properly obtained by committee subpoena.

The CHAIRMAN. On the banks?

Mr. MANUEL. Yes, sir. These records reflect the individual organizations which made payments to the Alabama Rescue Service. In addition to having checks made payable to the Alabama Rescue Service, I wish to show that some checks were made payable to the United Klans of America, which later were found in the account of the Alabama Rescue Service at The First National Bank in Tuscaloosa, Alabama.

As my first example of this, I wish to introduce a check of the Rowan Sportsmen's Club, dated March 2, 1965, in the amount of \$46, drawn on the Security Bank & Trust Co. of Spencer, North Carolina, signed by Fred L. Wilson and Wayne Dayvault, and the notation on the check says it is for dues.

The endorsement on the reverse side of this check has the notation "For deposit in Alabama Rescue Service Account Only."

(Check marked "Philip Manuel Exhibit No. 1" appears on p. 1693.)

Mr. APPELL. Mr. Manuel, while we are discussing this question of dues, on the basis of our investigation have we established, or has the committee established, the staff established, the division of dues to the imperial level?

Mr. MANUEL. Yes, sir; it has.

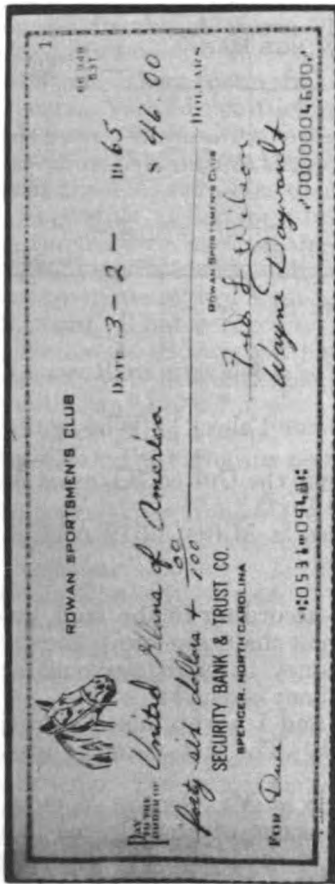
Mr. APPELL. Could you state for the record what this amount is?

Mr. MANUEL. As of September 1964, the amount is 50 cents per month per member for imperial tax, which is supposed to be paid to the headquarters of the United Klans of America.

Mr. APPELL. Do you have additional documentation which shows deposits of checks made payable to the United Klans of America deposited into the Alabama Rescue account?

Mr. MANUEL. Yes, sir. In addition to the one just mentioned of the Rowan Sportsmen's Club which illustrates the point, I further wish to add a check dated August 27, 1965, made payable to the United Klans of America in the amount of \$30. The notation is for payment

PHILIP MANUEL EXHIBIT NO. 1



of the publication the *Fiery Cross*, which is the official publication of the United Klans of America.

This check is drawn on the Merchants Trust and Savings Bank of Kenner, Louisiana. It is signed by Charles L. Miller of 2512 Airline Highway in Kenner, Louisiana. This check shows up as a deposit in the account of the Alabama Rescue Service on September 9, 1965, as a \$30 deposit of the Merchants Trust and Savings Bank and is endorsed to the account of the Alabama Rescue Service on its reverse side.

(Check marked "Philip Manuel Exhibit No. 2" appears on p. 1964.)

The CHAIRMAN. Who was the maker of the first check you referred to?

Mr. MANUEL. That was the Rowan Sportsmen's Club.

The CHAIRMAN. What is the Rowan Sportsmen's Club? Is that a front organization?

Mr. MANUEL. The Rowan Sportsmen's Club is a cover name for a Klavern located in Spencer, North Carolina.

The CHAIRMAN. It is a front or a coverup.

PHILIP MANUEL EXHIBIT No. 2

MERCHANTS TRUST AND SAVINGS BANK		84-499 622
KENNER, LOUISIANA		Nº 153447
PAY TO THE ORDER OF <u>United Klans of America</u>		
MERCHANTS TR. & S.B. \$50 AND 00 CTS		
NOT VALID OVER \$250.00		
717 <i>Tracy Green</i>		
00652-0469: #90 059 7#		

Mr. MANUEL. It is a cover name for a Klavern in Rowan County, North Carolina.

The CHAIRMAN. What about the second check? Who is the maker of that check and what is that outfit?

Mr. MANUEL. This is made payable to the United Klans of America.

The CHAIRMAN. No. The maker?

Mr. MANUEL. The maker is Charles L. Miller, 2512 Airline Highway, in Kenner, Louisiana.

Mr. ASHBROOK. For whom?

Mr. APPEL. Is it not a fact that, according to the staff investigation, many Klaverns and Klans do not maintain bank accounts, but that they maintain and transmit money through personal accounts and also in the form of U.S. postal money orders?

Mr. MANUEL. That is correct, sir, and I have some illustrations of that in the form of a personal check. The last example was also a personal check.

I have another personal check made by Mr. George A. Otto, dated September 8, 1965, payable to the order of the United Klans of America in the amount of \$50, drawn on the Bank of the Southwest, in Houston, Texas.

(Check marked "Philip Manuel Exhibit No. 3" follows:)

PHILIP MANUEL EXHIBIT No. 3

GEORGE A. OR MARTHA O. OTTO		711
7101 APPLETON ON 5-1051		
HOUSTON, TEXAS 77022		
PAY TO THE ORDER OF <u>United Klans of America</u>		35-6 1130
\$50.00		
DOLLARS		
BANK OF THE SOUTHWEST NATIONAL ASSOCIATED BANK HOUSTON, TEXAS		
GEORGE A. OR MARTHA O. OTTO		
<i>George A. Otto</i>		
502 551#		

Mr. APPELL. And that, according to your investigation, is remittance by a Klavern, perhaps under a cover name, to the United Klans or sometimes to the Alabama Rescue Service as that cut on dues collected locally?

Mr. MANUEL. That is correct.

Mr. APPELL. Would you further identify Mr. Otto?

Mr. MANUEL. Committee investigation has established that Mr. George Otto is the Grand Dragon, recently appointed, in the State of Texas of the United Klans of America.

The CHAIRMAN. And your testimony is that in many cases remittance for Shelton's outfit, the United Klans of America, is sometimes made by individuals, individual checks, and not in the name of a Klavern by name or any front by name?

Mr. MANUEL. That is correct. We picked examples of both things.

The CHAIRMAN. So we will have a general understanding of what this is about, you do have many cases, however, of local Klaverns dealing with banks also?

Mr. MANUEL. That is correct.

Mr. POOL. On the signature on the check of Mr. Otto, read the whole signature, will you?

Mr. MANUEL. It is signed "George A. Otto," and it is on a personal check which is stamped "George A. or Martha O. Otto," of 7702 Appleton, Houston, Texas.

Mr. POOL. The word "trust" is not there? It is not a trust account at all?

Mr. MANUEL. No, sir.

Mr. POOL. Thank you.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Manuel, through an analysis of the account of the Alabama Rescue Service, are there checks endorsed by Carol Long?

Mr. MANUEL. Yes, sir. Out of the material received by the committee, we have a total of 14 checks endorsed by Carol Long made out to cash. They are signed on the check headed "Alabama Rescue Service," drawn on "The First National Bank of Tuskaloosa, Tuskaloosa, Alabama," signed by Robert M. Shelton, T. M. Montgomery. The endorsement on the reverse side is made with the signature of Carol Long.

The CHAIRMAN. And we have established that T. M. Montgomery is Carol Long.

Mr. MANUEL. That is correct, sir. The total amount of these 14 checks is \$705.

(Checks marked "Philip Manuel Exhibit No. 4." One of said checks appear on p. 1696; balance retained in committee files.)

Mr. POOL. What dates do they cover, or about what period of time?

Mr. MANUEL. They cover from the 2d of August 1963 until the 11th day of February 1964.

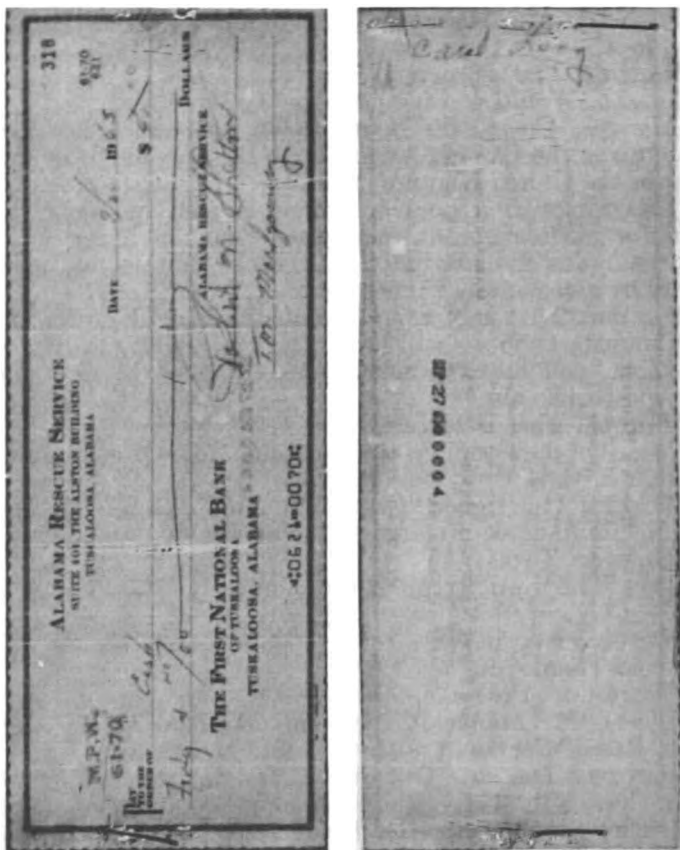
The CHAIRMAN. August 1963 to what?

Mr. MANUEL. August 1963 to February of 1964.

The CHAIRMAN. That is a period of 6 months.

Mr. POOL. That is a similar time to the \$500 checks that questions were asked about earlier in the hearing room when Mr. Shelton was on the stand. I believe those \$500 checks, and I think they totaled

PHILIP MANUEL EXHIBIT No. 4



\$3,000, on them the period of time is a similar time. In that case it was July 1963 to February 1964, as I recall the testimony.

Mr. APPELL. Mr. Manuel, from an examination of the canceled checks received from The First National Bank, do these canceled checks reflect payments to Lorch's Diamond Shop, Tuscaloosa, Alabama?

Mr. MANUEL. The committee has in its possession 14 canceled checks made payable to Lorch's or Lorch's Diamond Shop of Tuscaloosa, Alabama, in the total amount of \$469.93. They were made in 14 separate payments starting in May of 1964, and the last check was dated June 18, 1965.

These checks are drawn on "The First National Bank of Tuscaloosa, Tuscaloosa, Alabama," on checks labeled "Alabama Rescue Service, Suite 401, The Alston Building, Tuscaloosa, Alabama," which the committee investigation has established is the headquarters of United Klans of America. These checks are signed by Robert M. Shelton and James J. Hendrix.

(Checks marked "Philip Manuel Exhibit No. 5." One of said checks follows; balance retained in committee files.)

PHILIP MANUEL EXHIBIT No. 5



Mr. POOL. To whom were the checks made payable?

Mr. MANUEL. They were made payable in some cases to Lorch's Diamond Shop and in other cases to Lorch's. However, the endorsement on the reverse side is always "For deposit only, Lorch's Diamond Shop of Tuscaloosa, Inc."

Mr. POOL. What is the total amount?

Mr. MANUEL. The total amount of these checks is \$469.93.

Mr. POOL. Do you know what they were given for? Do you have any information on that?

Mr. MANUEL. No, sir.

Mr. POOL. They couldn't be for that diamond ring that the Imperial Wizard has been wearing here in this hearing room; could they? Do you know anything about that?

Mr. MANUEL. I have no knowledge of that, sir.

Mr. POOL. Did you notice the ring he was wearing?

Mr. MANUEL. Yes, sir.

Mr. POOL. Have you any idea how many carats that ring is?

Mr. MANUEL. I do not.

Mr. POOL. It looked like it was worth more than \$400. There must have been some other checks somewhere.

Mr. APPELL. Do the canceled checks received from The First National Bank, Tuscaloosa, Alabama, reflect payments to GMAC, General Motors Acceptance Corporation?

Mr. MANUEL. Yes, sir. The committee has in its possession 14 canceled checks made payable to GMAC, in most instances in the amount of \$136.33, which was payment for a car.

Mr. ASHBROOK. All checks are in the same amount?

Mr. MANUEL. There was one check that includes two payments in the amount \$272.66. However, these 14 checks total \$2,044.95. In some cases, these checks were made payable to cash and signed by Robert M. Shelton and James J. Hendrix. However, on the reverse side they are endorsed by the General Motors Acceptance Corporation of Tuscaloosa, Alabama.

(Checks marked "Philip Manuel Exhibit No. 6." One of said checks follows; balance retained in committee files.)

PHILIP MANUEL EXHIBIT No. 6

ALABAMA RESERVE SERVICE SUITE 401, THE ALSTON BUILDING TUSCALOOSA, ALABAMA		755 6170 621	DATE August 5 1965	\$ 136.33	DOLLARS
PAY TO THE ORDER OF GMAC		ALABAMA RESERVE SERVICE			
One-hundred & Thirty-six and 33/100		Robert M. Shelton James J. Hendrix			
THE FIRST NATIONAL BANK OF TUSCALOOSA TUSCALOOSA, ALABAMA		-150621-00701			

PAY ANY BANK, BANKER OR
TRUST COMPANY
AUG - 8 1965
GENERAL MOTORS ACCEPTANCE
CORPORATION
TUSCALOOSA, ALABAMA

AIR 6650001

The CHAIRMAN. We have established that James J. Hendrix is none other than Mrs. Shelton.

Mr. MANUEL. According to expert testimony.

Mr. APPELL. Mr. Manuel, from an analysis of the canceled checks, what is the total amount written by checks in which the payee is "Cash"?

Mr. MANUEL. For the fiscal year 1964, the total amount of checks made payable to cash was \$5,581.50.

The CHAIRMAN. And they were all drawn by, or signed as maker, by whom?

Mr. MANUEL. Robert M. Shelton and James J. Hendrix.

The CHAIRMAN. Mr. and Mrs. Shelton.

Mr. MANUEL. According to expert testimony.

Mr. POOL. Have you finished all your checks?

Mr. MANUEL. No.

Mr. POOL. You have some more?

Mr. MANUEL. Yes.

Mr. APPELL. Mr. Manuel, as a result of an analysis of the canceled checks which we received from the bank, how many and over what period—how many checks were signed by Robert M. Shelton and T. M. Montgomery, and how many checks were signed as the maker of the check by Robert M. Shelton and James J. Hendrix?

Mr. MANUEL. From the period July 1, 1963, to August 13, 1965, committee investigation has established that the total number of checks signed by both Robert M. Shelton and James J. Hendrix is 301. The checks signed by both Robert M. Shelton and T. M. Montgomery is 131. Total checks signed by Robert Shelton is 432.

The CHAIRMAN. And they were variously used for such items as, you said, a diamond ring—

Mr. ASHBROOK. He didn't say that.

The CHAIRMAN. Well, a jewelry shop, GMAC, and cash. Any other categories?

Mr. MANUEL. There are some checks made payable to grocery stores.

(At this point Mr. Buchanan entered the hearing room.)

Mr. POOL. So he was using this money he took in for traveling-around money, you might call it, cash, for diamonds, cars, and now he is getting his groceries out of it. Is that your testimony?

Mr. MANUEL. There are some checks made payable to grocery stores; yes, sir.

The CHAIRMAN. And that came out of the account—

Mr. MANUEL. Of the Alabama Rescue Service.

The CHAIRMAN. —of the Alabama Rescue Service, which is a front, the cover name for the United Klans of America, and representing dues collected from these poor members here and there in the States we have described.

Mr. MANUEL. From the membership of the Klaverns; that is correct, Mr. Chairman.

(At this point Mr. Weltner entered the hearing room.)

Mr. APPELL. Mr. Chairman, I have no further questions of this witness.

The CHAIRMAN. All right. Call your next witness.

Mr. APPELL. Now, Mr. Chairman, I would like to call Mr. James R. Jones.

The CHAIRMAN. The photographers will have to desist. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JONES. I do.

TESTIMONY OF JAMES ROBERTSON JONES, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Jones, will you state your full name for the record, please, sir?

Mr. JONES. James Robertson Jones.

Mr. APPELL. Are you appearing here this afternoon in response to a subpoena served upon you by a deputy United States marshal at 10:20 o'clock a.m., on the 11th day of October 1965?

Mr. JONES. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. JONES. Yes, sir.

Mr. APPELL. Will counsel please identify himself?

Mr. CHALMERS. My name is Lester V. Chalmers, Jr. I am an attorney at law, Raleigh, North Carolina, 501 First Federal Building.

Mr. APPELL. Mr. Jones, when and where were you born?

Mr. JONES. Rowan County.

(Witness confers with counsel.)

The CHAIRMAN. Will you speak into the microphone?

Mr. JONES. I respectfully decline to answer to that question for reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. These are what we call identifying and preliminary questions, and I can't conceive your constitutional rights being impaired by answering this question, and perhaps others along the same line.

I therefore order and direct you to answer the question.

Mr. JONES. I respectfully decline to answer that question for reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Jones, would you give to the committee a brief résumé of your educational background?

Mr. JONES. I respectfully decline to answer that question for reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I order and direct you to answer that question.

Mr. JONES. I respectfully decline to answer that question for reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Of course, we respect your invocation of the rights if you honestly believe, as you just read there. But do you honestly believe that if you answer that simple question as to your educational background it could possibly involve you in anything?

Mr. JONES. I respectfully decline to answer that question for reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I notice you are reading your answers. I am not being technical about a witness' right to invoke constitutional privileges. But if you know, can you tell me upon what basis you are invoking the first amendment?

Mr. JONES. I respectfully decline to answer that question for reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. The 14th amendment talks about equal protection of the law and things of that kind. On what basis are you possibly invoking the 14th amendment?

Mr. JONES. I respectfully decline to answer to that question for reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. What about the fourth amendment? On what basis are you invoking that?

Mr. JONES. I respectfully decline to answer that question for reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I invite you in all seriousness and in the interest of orderly procedure, if you wish on advice of your counsel, to simply say, if you intend from here on to have some more invocations, that you decline to answer the questions on the grounds previously stated.

I make that suggestion, and I invite you to follow that course if you want to.

Ask the next question.

Mr. APPELL. Mr. Jones, would you briefly outline for the committee your employment background?

Mr. JONES. I respectfully decline to answer that question for reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Jones, your subpoena served upon you on October 11, 1965, called for you to produce certain documents. Were you present in the hearing room yesterday when the chairman read his opening statement? Did you receive a copy of the opening statement and do you understand its contents prior to my asking for a demand for those documents?

Mr. JONES. I respectfully decline to deliver——

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

Mr. CHALMERS. Mr. Chairman, may I state to the committee—
The CHAIRMAN. What is the pending question?

Mr. APPELL. I asked him if he was present when your opening statement was made, whether he received a copy of the opening statement, and whether or not he understood the content of the opening statement.

Mr. CHALMERS. Mr. Chairman, may I state to the committee, and to you, sir, that my client has been informed of the opening statement and is well aware of the contents thereof, and has been informed by me also of that fact and what the opening statement contains.

The CHAIRMAN. That is correct, is it not? You can answer that.
Well, you speak for your client?

Mr. CHALMERS. I am speaking for my client, sir.

The CHAIRMAN. Thank you for that expeditious way of proceeding.

Mr. APPELL. Mr. Jones, part 1 of the attachment to your subpoena, which was made a part of the subpoena, called upon you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, New Bern and Blounts Creek Fund, in your possession, custody or control, or maintained by you or available to you as Grand Dragon, Realm (State) of North Carolina, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I now ask you to produce those documents, sir.

Mr. JONES. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 8, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in consideration of any valid remedial legislation, nor is such required within the scope of that authorized by Rule IV of the House rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

(At this point Mr. Buchanan left the hearing room.)

The CHAIRMAN. Mr. Jones, the committee does not accept your reasons for refusal to answer. It does not accept any of your constitutional invocations, and is of the opinion that your failure to produce the documents enumerated may well result in a contempt citation, in a recommendation by this subcommittee to the full committee, and by the full committee to the House of Representatives, for a contempt citation.

(At this point Mr. Buchanan returned to the hearing room.)

The CHAIRMAN. I hope it won't be necessary for me to repeat the reasons why the committee does not accept your reasons for refusal to produce these documents.

Is that understood, Mr. Counsel?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. In this instance I therefore order and direct you, Mr. Jones, to produce those documents called for by part 1 of the attachment to your subpoena.

May I have the privilege from here on to say for the reasons previously given the committee rejects the refusal to produce the documents.

Mr. CHALMERS. Yes, sir; and may I state to the chairman and to the committee my client is well aware of the implications.

The CHAIRMAN. I don't know if you answered the question, Mr. Jones.

Did he?

I now order and direct you to produce those documents enumerated in part 1 of the attachment to your subpoena.

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 8, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

(Witness confers with counsel.)

The CHAIRMAN. Mr. Counselor, would you listen to me now?

My own general counsel suggests that I ask you if it is understood that, first, he heard my questioning of Mr. Shelton along these lines, and second, are you still satisfied that you well understand the purposes and objectives and pertinency of evidence now being presented as described in my opening statement, and with all of that knowledge he still persists in refusing to produce the documents? That is understood?

Mr. CHALMERS. Let me speak to my client.

(Counsel confers with witness.)

Mr. CHALMERS. Mr. Chairman, I think, sir, I am not fully familiar how we can stipulate to something in this hearing, but we certainly do not desire to extend it out. My client, sir, heard what the chairman told Mr. Shelton this morning.

The CHAIRMAN. And that includes the fact that I told Mr. Shelton, and it applies to him, too, that this order is for him to respond to the subpoena by producing these documents on the basis of his representative capacity as Grand Dragon?

Mr. CHALMERS. I can't go that far, sir. I am sorry, I can't go that far. I can stipulate, sir, to this, that the subpoena reads to James R. Jones, and that based on that, the original subpoena which we have here, I imagine, he was ordered to produce the items listed in number 1, that he heard your statements with respect to what Mr. Shelton said, that Mr. Shelton was told this morning, that he heard and is familiar with the opening statement made by the chairman yesterday, and that he realizes the possibility of a contempt citation based on the subpoena served upon him dated October 8, 1964.

I don't know what date it was served on him.

The CHAIRMAN. Look at paragraph 1.

Mr. CHALMERS. I see that. Let me say this—

The CHAIRMAN. I call to your attention, Mr. Chalmers, that paragraph 1 of the attachment to the subpoena calls for certain records for him, of course, to produce, but it reads "or maintained by you"—

documents * * * in your possession, custody or control, or maintained by you or available to you as Grand Dragon, Realm (State) of North Carolina, of the

Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

So the capacity is there.

Mr. CHALMERS. I am certain, sir, that the wording of a subpoena speaks for itself, and certainly whatever is there we will certainly stipulate on that this subpoena was served on him based upon what was said in the subpoena itself.

The CHAIRMAN. If you have any objection, you are a good lawyer, and I will recess and serve another one on him.

Mr. CHALMERS. No, sir; I do not.

The CHAIRMAN. Is it agreed to the understanding that he is being directed to produce these documents in his possession, control, custody or control, or maintained by him, or available to him as Grand Dragon?

In other words, as an official of the organizations technically enumerated in that subpoena? We can agree to that. I think it is self-evident that it speaks for itself and that is what it means. But if you have any technical reasons, let's recess and I will serve another one on him.

Mr. CHALMERS. We expressly state, sir, that we will stipulate that the subpoena says what it means.

The CHAIRMAN. What is it you can't stipulate, then?

Mr. CHALMERS. I can stipulate, sir, that he heard your opening statement.

The CHAIRMAN. I understand that.

Mr. CHALMERS. I can stipulate that this subpoena was served on him asking him to produce these records.

The CHAIRMAN. In his capacity enumerated?

Mr. CHALMERS. As whatever the capacity is in there, sir. I wish I could approach the bench.

The CHAIRMAN. Come up here.

(Discussion off the record.)

The CHAIRMAN. May I suggest that perhaps what good counsel has in mind is that he can't stipulate and agree that his client is the Grand Dragon of this order, but that he does stipulate that he is directed to produce these documents as Grand Dragon.

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. In other words, we will have to establish that he is Grand Dragon.

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. We will ask him that question right away.

Mr. CHALMERS. All right, sir. Thank you, sir.

The CHAIRMAN. By the way, we have evidence under oath in the record that he is, seriously.

The bells have rung and while this committee under the rules of the House is authorized to sit continuously there is an important vote going on.

The committee will stand in recess in order to respond to that roll-call. We will resume at 3:15.

But before that, may I ask you while this thing is on our minds, what you said in response to my colloquy and technical discussion we had with reference to this witness, Mr. Jones, that is your same position with respect to Mr. Shelton?

Mr. CHALMERS. Yes, sir; that is correct.

The CHAIRMAN. The committee will stand in recess until 3:15.

(Whereupon, at 2:50 p.m. the subcommittee recessed. All subcommittee members present at time of recess.)

(The subcommittee reconvened at 3:35 p.m. Subcommittee members present: Representatives Willis, Pool, Ashbrook, and Buchanan.)

The CHAIRMAN. The subcommittee will be in order.

The photographers will remove their equipment.

Proceed, Mr. Appell.

Mr. APPELL. Mr. Jones, under the attachment to the subpoena, section 2, you are called upon to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Dragon, Realm (State) of North Carolina, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask you to produce those documents.

The CHAIRMAN. Now let me say this: It is understood, I take it, so we won't have to cover it any more, that under the first paragraph of this attachment, and under this one, and under others to follow, that the subpoena duces tecum directs him to produce those documents in his capacity recited in that paragraph.

Mr. CHALMERS. Yes, sir; that is stipulated, sir.

Mr. APPELL. Please answer the question.

Mr. JONES. I respectfully decline to deliver to the committee any and all records requested by this committee under the subpoena dated October 8, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized by the Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to deliver records or documents for I honestly feel they might tend to incriminate me and be a violation of my rights as guaranteed by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I ask for a direction.

The CHAIRMAN. I will do that.

Mr. Jones, I now order and direct you for the reasons previously indicated, which your counsel has stipulated need not be repeated, to produce those documents.

Mr. JONES. I respectfully decline to deliver to the committee any and all records as required by this committee under subpoena dated October 8, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized by the investigation, by Rule IV of the House rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee such records or documents for the reason that I honestly feel they might tend to incriminate me and be a violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Jones, part 3 of the subpoena calls for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, [titled] "U.S. Corporation Income Tax Return," for the fiscal years 1961 through June 30, 1965, filed by you as Grand Dragon, Realm (State) of North Carolina, United Klans of America, Inc., Knights of the Ku Klux Klan.

I now ask you to produce those documents in your possession.

Mr. JONES. I respectfully decline to deliver to the committee any and all records as required by this committee—as requested by this committee under subpoena dated October 8, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any such records as requested as they might tend to incriminate me and violate my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Weltner entered the hearing room.)

Mr. APPELL. Mr. Jones, is it not a fact that you filed no corporate tax return?

Mr. JONES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Jones, is it not a fact that during the 3 days of August 6, 7, and 8, 1965, the North Carolina Klan was holding rallies in the Wilson, North Carolina, area?

Mr. JONES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. And isn't it a further fact that Internal Revenue Agent Roy Heddy conferred with Mr. Shelton and yourself and received the following information, and I quote from a report supplied to the committee:

The Realm of North Carolina is simply a geographical subdivision of the National Chapter and is used only to identify a given area, i.e. [that is], the State of North Carolina. It is not an organization and has no funds, income or expense, therefore no returns are due. * * *

Wasn't that statement made to the Internal Revenue Service agent by you and Mr. Shelton as reported by the agent?

Mr. JONES. May I consult counsel?

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to answer that question for reasons that I honestly feel my answer might tend to incriminate me in viola-

tion of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document previously marked "Robert Shelton Exhibit No. 5.")

Mr. APPELL. Mr. Jones, under paragraph 4—section 4—of the attachment which was made a part of the subpoena, you were ordered to produce:

All books, records, documents, correspondence, and memoranda of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, and the Realm (State) of North Carolina and the Capital City Restoration Association, in your possession, custody or control, or maintained by you or available to you as Grand Dragon, Realm (State) of North Carolina of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, which relate to insurance contracts between the Capital City Restoration Association and the International Life and Accident Insurance Company.

I now ask you to produce those documents in your possession.

Mr. JONES. I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 8, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the House rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee those documents as requested as I honestly feel they might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. For reasons previously stated, and which it has been stipulated I need not repeat, you are hereby ordered and directed to produce those documents.

Mr. JONES. I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 8, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the House rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Jones—

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to deliver those records requested by this committee for I honestly feel they might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Jones, section 5 of the attachment which was made a part of the subpoena calls for:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, [titled] "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

(At this point Mr. Buchanan left the hearing room.)

Mr. APPELL. Mr. Jones, I ask you to produce the documents called for in section 5.

Mr. JONES. I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 8, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee these records for the reason I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Is that all concerning the production of documents?

Mr. APPELL. Yes, sir.

The CHAIRMAN. Let me say this: As previously indicated, you were ordered for the reasons I stated, and you refused to produce the documents referred to in paragraphs 1, 2, and 4 for reasons you indicated, which I did not accept, and I further point out that this could lead to an ultimate citation for contempt.

It is noted that I did not order you to produce, right now, the documents referred to in paragraphs 3 and 5, namely corporation tax returns.

I did not do that because, according to the information supplied to us by the Internal Revenue Service you did not file, so it is unnecessary for me to direct you to produce them, therefore.

Incidentally, if my information is correct, you are in worse trouble than a citation for contempt.

Proceed.

Mr. APPELL. Mr. Jones, I hand you an application for a Post Office Box, No. 321, dated 6-28-65, signed James R. Jones, with the name of the firm or corporation being "Ku Klux Klan—District Manager."

I ask you if you executed that application for a post office box?

Mr. JONES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "James Jones Exhibit No. 1" appears on p. 1709.)

Mr. APPELL. Mr. Jones, I hand you a document, North Carolina Domestic Corporation Franchise Tax Report, due July 31, 1965, with an affirmation of the taxpayer dated July 20, 1965, signed James R. Jones, Grand Dragon, North Carolina.

I ask you if you signed this document and formally filed it with the State of North Carolina?

Mr. JONES. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in

JAMES JONES EXHIBIT NO. 1

FOR POST OFFICE USE ONLY	POSTMASTER C.M. Feeler	DATE BOX OPENED 6/28/65	DATE BOX CLOSED	BOX NO. 321
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APPLICANT PLEASE NOTE: Completion of this application signifies your willingness to comply with all postal rules relative to the renting and use of Post Office Boxes.

NAME OF APPLICANT (Print or type) James R. Jones	TYPE OF IDENTIFICATION
NAME OF FIRM OR CORPORATION (If box is rented for use of either) KLU KLUX KLAN - DISTRICT MANAGER	
KIND OF BUSINESS K.K.K.	
BUSINESS ADDRESS (No., street, and ZIP code) GRANITE QUARRY, N.C. ROWAN ST.	TELEPHONE NO.
HOME ADDRESS (No., street, and ZIP code) Rowan St. Granite Quarry, N.C.	TELEPHONE NO.
SIGNATURE OF APPLICANT X James R. Jones	DATE OF APPLICATION 6/28/65
ADDRESS VERIFIED BY Postmaster	TELEPHONE NUMBERS VERIFIED BY

For Post Office Use Only ENTERED IN DIRECTORY	INITIALS OF CLERK C.M. P	INITIALS OF CARRIER	BOX NO. 321
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THE FOLLOWING MUST BE COMPLETED AND SIGNED BEFORE P.O. BOX IS ASSIGNED

RELIVER MAIL IN ACCORDANCE WITH INSTRUCTIONS CHECKED BELOW

☒ ALL EXCEPT SPECIAL DELIVERY IN BOX
 ☐ ALL INCLUDING SPECIAL DELIVERY IN BOX
 ☐ ONLY MAIL ADDRESSED TO BOX IS TO BE PLACED IN IT. ALL OTHER MAIL TO BE DELIVERED AS ADDRESSED.

☐ OTHER INSTRUCTIONS (Specify)

SPECIAL DELIVERY MAIL ONLY (Deliver as attached below)

☐ DELIVER TO LOCAL RESIDENCE AT _____ (No., street, and ZIP code)
 ☐ DELIVER TO LOCAL BUSINESS ADDRESS AT _____ (No., street, and ZIP code)

NAMES OF PERSONS ENTITLED TO RECEIVE MAIL THROUGH BOX (If box is rented to a firm, include the full name of each of its members who are entitled to be placed in box.)
James R. Jones
Mrs. Sybil Jones
Sanford Bryan
Mrs. Sanford Bryan
David Bryant

☐ HAVE READ ITEMS 1 THROUGH 5 ABOVE AND WILL COMPLY WITH THEM
 ☒ **X** _____ (Signature of applicant)

POST OFFICE **1093**
 No. 1093

APPLICATION FOR POST OFFICE BOX

violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "James Jones Exhibit No. 2." Pages 1 and 4 of said exhibit follow:)

JAMES JONES EXHIBIT No. 2

JOHN M. LINGLE, JR.
Form C-300
N. C. Dept. of Revenue
Raleigh, N. C.

1964
1965
NORTH CAROLINA

DOMESTIC CORPORATION FRANCHISE TAX REPORT

DUE JULY 31, 1965

This report must be filed by every North Carolina corporation regardless of whether it is actually carrying on business in the State. Report covers the fiscal year July 1, 1965 through June 30, 1966.

Name of reporting corporation Invisible Empire United Klans, Knights
Ku Klux Klan of America, Inc.
Street address P.O. Box 321 County _____
City and State Greenville, S.C.
Date incorporated July 7, 1965 Kind of business Non-Profit fraternal organization
Indicate if connected with another corporation as: Parent ☐ Subsidiary ☐ Affiliate ☐
Furnish name, address and business of each (Attach Schedule) _____

A	BASIS AND COMPUTATION OF TAX	AMOUNT
1.	Capital Stock outstanding, Surplus, Undivided Profits (Brought from page 2, item 23)	\$
2.	Affiliated Indebtedness (Brought from page 2, item 27)	
3.	Total of items 1 and 2 (See note on page 4)	
4.	Total investment in tangible properties in North Carolina (Brought from page 2, item 36)	
5.	Total assessed value of all properties located in North Carolina including total valuation of intangible personal property (From page 2, item 41)	
6.	TOTAL TAXABLE AMOUNT (Item 3, 4, or 5, whichever is greatest)	
7.	Amount of tax computed at \$1.50 per \$1,000 of item 6 (Minimum Tax \$10.00)	
8.	Less: Intangible tax on bank deposits (1964)	
9.	TOTAL AMOUNT OF TAX (MINIMUM TAX \$10.00)	5277 10.00
10.	(a) Add: Penalty of 5% per month of delinquency period up to a maximum of 25% of item 9, not less than \$5.00, for failure to file on date due (b) Add: Interest at 6% per annum	
11.	TOTAL TAX, PENALTY AND INTEREST DUE	10.00

AFFIRMATION OF TAXPAYER

I hereby affirm that this report, including the accompanying schedules and statements (if any), has been examined by me and, to the best of my knowledge and belief, is true and complete and is made in good faith covering the taxable period stated, pursuant to the Revenue Act of 1957 as amended, and the regulations issued under authority thereof, and that this affirmation is made under the penalties provided by law.

July 20, 1965
Signature of Officer or This
Signature of Officer or This

THIS SPACE FOR DEPARTMENTAL USE ONLY	
a. Corrected Taxable Amount	\$
b. Tax @ \$1.50 per \$1,000	\$
c. Less: Remittances	\$
d. Total Taxable Amount	\$
e. Interest at 6% per annum to	\$
f. Penalty: Late Filing or Payment	\$
g. Additional Charge Billed	\$
Additional Amount Paid	

JAMES JONES EXHIBIT No. 2—Continued

PAGE 4

I	OFFICERS NAMES AND ADDRESSES	
President:	James P. Jones	GASLITE STREET, N.C.
Vice-president:	C. B. Mingo	WARRENTON, N.C.
Vice-president:		
Secretary:	D. E. Leazer	SALISBURY, N.C.
Treasurer:	F. L. Wilson	SALISBURY, N.C.

(NOTE: Every domestic corporation owning real estate and tangible property located outside North Carolina and also carrying on, conducting or engaging in business outside North Carolina should apply to the Department of Revenue, Corporate Income and Franchise Tax Division, for Form C-300-A and file as part of this report.)

Franchise tax liability accrues each year on July 1 and all of the tax due becomes payable with the filing of report which is due on or before July 31. Failure to file the report before July 31 will subject the corporation to a penalty amounting to 5% of the tax due for each month's delinquency. (Maximum penalty in absence of fraud 25%, minimum penalty \$5.00.) Interest at the rate of $\frac{1}{4}$ of 1% per month is charged on all delinquent tax payments from August 1 to the date of payment. The same rate of interest is also charged on all extended tax payments.

No partial or installment franchise tax payments are permitted by the Statute. The total tax due must accompany this report.

REPORT AND TAX DUE BY JULY 31, 1965 — N. C. DEPARTMENT OF REVENUE, RALEIGH, N. C.

The CHAIRMAN. Mr. Jones, you were questioned about your education and you invoked the fifth amendment. I thereupon directed you to answer that question. Again you refused.

Mr. JONES. I respectfully decline—

The CHAIRMAN. Wait a second. I haven't asked the question yet.

Mr. JONES. I thought you did.

The CHAIRMAN. No. I am very serious in this respect. I don't mean anything by the question. I think perhaps counsel himself might concede that his client has had very little education. I think it is obvious from the way he has been reading the documents.

Will counsel concede that? I am not going to hold it against him.

Mr. CHALMERS. May I have a conference?

The CHAIRMAN. Yes.

(Counsel confers with witness.)

Mr. CHALMERS. May I state to the Chairman and to the committee that my client did not graduate from high school.

Mr. APPELL. Mr. Jones, the "Constitution And Laws Of The United Klans of America, Inc., Knights Of The Ku Klux Klan," under Article XV, "Revenues and Property Titles," Section 3, reads:

The revenues of a Realm shall consist of: First, such portion of the Imperial revenue received from that Realm as may be fixed by proclamation of the National Klonvokation. Second, a per capita tax, to be known as a Realm Tax, in such amount as the Klorero may determine, in no case to be less than 25 cents per month.

Do you maintain financial records for reporting the receipt of money from Klaverns in the form of a State tax?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 3.")

The CHAIRMAN. I think you are doing fine now.

Mr. APPELL. I show you a copy of an advertisement which appeared in the Dunn, North Carolina, daily *Record*, on January 5, 1965, which seeks additional membership in the Ku Klux Klan, which invites people to make inquiry if they are interested in membership in North Carolina, Box 321, Granite Quarry, North Carolina, the box to which I just handed you the application, and I ask you if you have any correspondence or applications in your possession with respect to membership.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "James Jones Exhibit No. 3 and retained in committee files.)

Mr. APPELL. Mr. Jones, I will hand you a document dated July 19, 1965, addressed "Esteemed Klansmen" and it is signed "Yours for God and Country, James R. Jones, Grand Dragon."

It is signed "James R. Jones, Grand Dragon."

In handing you the document, I want to ask you if you are the author of the document, and I wish to call your attention to paragraph 2 which reads:

Enclosed you will find a 3 x 5 card, in the top left corner, I want your unit number and mailing address, Under that I want your E.C.'s name, home address and telephone number; under that, your Secretary, address and telephone number.

The CHAIRMAN. And EC stands for exalted cyclops?

Mr. APPELL. That is correct, sir.

I ask you, Mr. Shelton, whether or not you sent that letter, whether that is your signature.

(Witness confers with counsel.)

Mr. CHALMERS. May I ask you to see if you did not call him Mr. Shelton rather than Mr. Jones?

Mr. APPELL. Please correct the record. I did not mean to call Mr. Jones Mr. Shelton, if I did.

Mr. Jones?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "James Jones Exhibit No. 4" follows:)

JAMES JONES EXHIBIT No. 4

July 19, 1965

Esteemed Klansmen,

It has been brought to my attention that some towns and counties while putting out posters and circulars, put these in mail boxes. This as you know and have been told is illegal. The postmaster general says I am going to pay for each poster and circular and in turn, each county and town responsible is also going to pay. From now on please do not mess with anything belonging to the federal government.

Enclosed you will find a 3 X 5 card, in the top left corner, I want your unit number and mailing address, Under that I want your E. C.'s name, home address and telephone number; under that, your Secretary, address and telephone number.

For you Kleagles and people starting new units, first get in touch with your Titan to let him know so we can organize our efforts, in a given town or county.

September 4th and 5th is National Meeting in Tuscaloosa, Alabama. This is the 100th year of the Klan and we expect to have a parade in robes, horses and all, a full Klan parade. Everyone should start making arrangements, so North Carolina can be well represented.

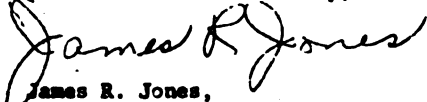
There has been a lot of unnecessary talking and confusion behind the ropes at Rallys. This distracts the speakers and the audience, so please refrain from this as much as possible.

At the Tennessee State Meeting, Mr. Shelton said in no uncertain terms, any man in leadership capacity of United Klans of America found under the influence of alcohol, will be replaced without fear or favor. The next 90 days the leadership of this organization will be under fire from all sides. Your petty politicians are getting scared, so not drinking in public is a small sacrifice to pay for the freedom of our country, Your help and cooperation is expected and will be appreciated.

The upcoming Rallys will be a strain on everyone so if your Rally is on a given day, you are expected to have a representative at the Rally before your Rally to help tear down platform and drive truck back to your town.

Please leave electrical equipment on the truck alone. You are also expected to have all needed equipment for your Rally at the Rally site at least by noon on the Rally date.

Yours for God and Country,


James R. Jones,
Grand Dragon

Mr. APPELL. In response to the request made of Klans within the State of North Carolina, did you, in response to your demand of July 19, 1965, receive 3 by 5 cards containing the information called for?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Are those cards still in your possession?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Have they been destroyed?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Jones, the committee, by subpoena dated—

The CHAIRMAN. May I ask a question of you, Mr. Appell?

These cards you just referred to—by the way, you better offer them and all of the documents for the record.

All documents previously referred to are now made a part of the record in the respective orders identified.

Now, Mr. Appell, these cards you just referred to sent by, according to you, Mr. Jones to other people, do they indicate a listing of membership by name, by number, or both, in this instance? What would be your interpretation?

Mr. APPELL. What Mr. Jones asked for was the full identity—the name, address, and telephone number of the exalted cyclops and the name, address, and telephone number of the secretary or kligrapp of each of the Klaverns within his jurisdiction.

The CHAIRMAN. But with respect to membership, I now ask you concerning the testimony on it whether it is not a fact established by the investigation that ordinary members are given numbers, or usually referred to by numbers rather than by names, except that somewhere down the line someone has a list of names with numbers but usually the members are known by numbers.

Is that not a fact? If I haven't stated is correctly, please correct me.

Mr. APPELL. Mr. Chairman, during the investigation we were advised, and we have received testimony, that in many cases an application is destroyed immediately upon its being executed and that, within the Klavern itself, a man is known by a number rather than a name and that when a roster is passed during a Klavern meeting, in order to determine who is there, the man indicates his presence by putting down a number which is assigned to him.

The CHAIRMAN. And these numbers do not necessarily always start from number 1 and go on, but might start with number 400 and go on; is that correct?

Mr. APPELL. That is true, sir, and do not necessarily run in a numerical sequence even within the Klavern itself.

The CHAIRMAN. And that is for security reasons?

Mr. APPELL. Yes, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Jones, we received, as a result of the subpoena served on August 17, 1965, upon the manager of Mill Fabrics, Inc., 126 States-

ville Boulevard, Salisbury, North Carolina, invoices covering the purchase of material, one invoice of 2-20-65, 1,064½ yards of acetate satin, 69 cents a yard, 10 percent discount, sales tax, total invoice: \$680.89; May 14, 1965, 211 yards of Princeton satin, 69 cents a yard with the discount plus a sales tax, a total invoice of \$134.96; May 18, 1965, 60 yards of 38-inch buckram, 69 cents a yard with discount added to sales tax, \$38.38; on May 20, 1965, 1,029 yards of Princeton satin, 69 cents a yard, \$710.01, less discount, plus sales tax, a total invoice of \$658.18; May 26, 1965, 107 yards of carded cotton broadcloth, 39 cents a yard, \$41.73, less discount, plus sales tax, a total invoice of \$38.69; July 13, 1965, 1,453 yards of Princeton acetate satin, 69 cents a yard, or \$1,002.57, less discount, plus sales tax, \$929.38; 90 yards of unicorn buckram, 69 cents a yard, \$62.10, less discount, plus sales tax, \$57.57, or a total of 3,757½ yards of satin.

The CHAIRMAN. Who got the business?

Mr. APPELL. The invoices are all billed to Mr. James R. Jones, Box 321, Granite Quarry, North Carolina.

The CHAIRMAN. I don't understand that. Whose invoices?

Mr. APPELL. These are the invoices of Mill Fabrics, Inc., upon whom we served a subpoena.

The CHAIRMAN. Let's be frank. Are those the people who make the sheets? I am serious.

Mr. APPELL. This is just for the bulk material, sir. I wanted to ask of Mr. Jones after he purchased this satin material what he did with it.

The CHAIRMAN. It is not all satin.

Mr. APPELL. Satin and then there is buckram, which is the stiffening material that holds the peak up, and then, of course, broadcloth, which is a little cheaper grade material.

The CHAIRMAN. So all the boys don't wear the same outfits?

Mr. APPELL. No, sir; and the boys don't pay the same price, whether it is broadcloth or satin.

The CHAIRMAN. Ask your question.

Mr. APPELL. Mr. Jones, did you purchase this material as I have set forth in these invoices?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff, in figuring up these invoices, shows that the average cost of satin is 64 cents a yard, and that it takes approximately 5 yards to make a small robe.

Mr. Jones, it is the committee's information that you sell the satin robes for \$15. Is that information correct as far as the cost of the robe?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. After you purchase the material, who do you get to manufacture the robes for you?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. Before the next question, Mr. Manuel testified that Shelton's order, United Klans of America, got a cut of 50 cents on the

dues. Can you state right now at this point, so we can follow you, what our information is, if any, as to the cut the Imperial Wizard's outfit receives from the apparel?

Mr. APPELL. \$15 for the satin robe, sir, and 25 cents per man per capita dues per month.

The CHAIRMAN. Who gets the \$15?

Mr. APPELL. This is a good question. This is a question which Mr. Jones can answer because he purchased the material and we want to know who makes the profit, the enormous profit off of these robes.

The CHAIRMAN. All right.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. I ask you again, Mr. Appell, what is your best information as to who gets what part or the whole of this \$15 item?

Mr. APPELL. Mr. Chairman, after whatever Mr. Jones pays to have the material made into the robe, the profit goes to Mr. Jones.

Mr. Chairman, I would like to ask that the invoices to which I have just referred be entered as exhibits at this point in the order in which they were referred to.

The CHAIRMAN. The documents will be accepted in the record at this point.

(Documents marked "James Jones Exhibits Nos. 5-A through 5-G," respectively, and retained in committee files.)

The CHAIRMAN. Mr. Reporter, I will repeat again that all documents previously identified will be inserted in the record at the respective points where they were identified.

Mr. APPELL. Mr. Jones, did the United Klans of America, in North Carolina, hold a rally at Dunn, North Carolina, approximately May 25, 1965?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. It is the committee's knowledge that at these rallies there is always a pitch made for money for the purpose of either putting people on the road as paid, salaried people, or for some other appeal. In working this appeal, do you operate what would be commonly known as a shill game, in that when you start asking for money you have your people come up and make presentations of \$100 or \$50 in order to try to sucker other people into donating the same large sums of money?

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States.

The CHAIRMAN. Here we go again. Maybe I am dumb, but why go back to the long form of invocation?

Mr. APPELL. Mr. Jones, I hand you a photograph in which there is a man dressed in what appears to be a Klan robe counting money. I want to ask you, first, if you know the identity of that man.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Photograph marked "James Jones Exhibit No. 6" follows:)

JAMES JONES EXHIBIT No. 6



REV. GEORGE DORSETT, KU KLUX KLAN CHAPLAIN

The CHAIRMAN. Before the next question, Mr. Appell, you asked Mr. Jones whether it was not a fact that the old shill or come-see game was employed at these rallies, where a basket or a hat is passed around in a fashion whereby confederates or chosen people put in rather unusual sums as a pitch for others to kick in more than what they would normally do or can afford.

Does the investigation establish that to be a fairly common practice?

Mr. APPELL. Yes, sir.

Mr. Jones, what happens to this money after it is collected at these rallies, as this man is counting it out here?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Do you maintain an account in the name of the United Klans of America, care of James R. Jones, at the Wachovia Bank and Trust Company, Salisbury, North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. By the way, Mr. Appell, I must caution you that the questions I propounded to you assume that the oath you took yesterday still obtains. You understand that, do you?

Mr. APPELL. Yes, sir; I do, very well, sir.

Mr. Jones, the committee has obtained through subpoena an account from the Wachovia Bank and Trust Company in the name of the

United Klans of America, Inc., care of James R. Jones, Post Office Box 321, Granite Quarry, North Carolina, which, according to the ledger cards of the account, was opened on May 13, 1965, with a deposit in the form of currency of \$759, a check of \$25, or a total deposit of \$784, and that from that starting date of May 13, 1965, through September 19, 1965, from May through September, there has been deposited to that account \$16,213.37.

Where did that money come from, Mr. Jones?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. How many months would that be?

Mr. APPELL. May 13th to September 19th is 4 months.

The CHAIRMAN. Mr. Jones, Mr. Appell asked you where this money came from, and you invoked your privilege. Now I ask you, did you deposit in this bank or other accounts all the funds you received from dues, apparel, drives, basket-passing, and all other sources?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Bank records marked "James Jones Exhibit No. 7-A" and retained in committee files.)

Mr. APPELL. Is the Reverend George Dorsett a paid employee of the United Klans of America, North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. I wish you could give the committee a very accurate response to this question of mathematics. What portion of these deposits such as have been made, and I hope it is all that you received, would be for these various items—apparel, dues, collections, drives, so-called defense fund, and so on? Could you break that down for us?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(At this point Mr. Buchanan returned to the hearing room.)

The CHAIRMAN. You see, that would aid the committee, if this is the only bank account, in knowing what the dues are, and knowing what you keep, in fixing the numbers of your organization. As to the United Klans of America, our information is that their bank deposits, mostly if not all, are receipts from dues, so it will be fairly easy later on to figure that out. I suppose Mr. Appell will cover that subject in due time.

Mr. APPELL. Mr. Chairman, with respect—

The CHAIRMAN. I was just asking if you want to go into it at this time. I don't want to break your continuity of thought.

Mr. APPELL. This account does not deal with dues.

Mr. Jones, is it not a fact that from this account you made payments to the Reverend George Dorsett on July 23, 1965, August 6, August 14, August 20, August 28, September 3, September 10, September 17, one payment of \$100 and seven payments of \$150 or a total of \$1,150?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

(Checks marked "James Jones Exhibit No. 7-B.")

Mr. ASHBROOK. Did you say "Reverend"?

Mr. APPELL. Yes, sir.

The CHAIRMAN. Will you establish who he is? Who is Dorsett?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Why was he given that money?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. From this account, did you make 13 payments at \$150 each which, according to the regularity of the payments, appear to be weekly payments of \$150 a week to Boyd Hamby for a total of \$1950?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Checks marked "James Jones Exhibit No. 7-C.")

Mr. APPELL. Did you make payments from this account to Grady B. Mars, 16 checks at \$150 each for a total of \$2,400?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Checks marked "James Jones Exhibit No. 7-D.")

Mr. APPELL. Did you make payments from this account to Marshall R. Kornegay, 8 payments at \$150 each, for a total to him of \$1200?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Checks marked "James Jones Exhibit No. 7-E.")

Mr. APPELL. Did you make 12 payments for \$150 to Donald E. Leazer?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Checks marked "James Jones Exhibit No. 7-F." One check from each of said exhibits 7-B through 7-F appears on pp. 1720, 1721; balance retained in committee files.)

Mr. APPELL. Isn't it a fact that each of these gentlemen, in addition to holding some type of official capacity within the United Klans of North Carolina, were known within the Klan circles as paid organizers?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Jones, did you maintain in the name of the United Klans of America an account at the Farmers & Merchants Bank at Granite Quarry, North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Chairman, an analysis of this account shows that starting with a deposit on 9-11-63, in the amount of \$31, that there has been deposited into that account, in addition to that which we dealt with in the first account, through September 4, 1965, \$7,659.25.

The CHAIRMAN. That is a period of slightly less than a year?

Mr. APPELL. No, sir. September 1963 through 8-16-65.

Mr. ASHBROOK. September 1964?

Mr. APPELL. 1963, sir.

The CHAIRMAN. September 1963 through August?

JAMES JONES EXHIBIT No. 7-B

2002-47867

56

96-92
EST

UNITED KLANS OF AMERICA, INC.
P. O. BOX 321
GRANITE QUARRY, N. C. 28072

DATE 9-17 1965

POSTED

SEP 23 1965

UNITED KLANS OF AMERICA, INC.

WACHOVIA BANK AND TRUST COMPANY
SALISBURY, NORTH CAROLINA

FOR Libby & Eugene

WACHOVIA BANK AND TRUST COMPANY

000000150007

PAY TO THE ORDER OF Dr. George S. Smith

One Hundred Fifty

DOLLARS

Ed S. Wilson

James R. Jones

1053100920

JAMES JONES EXHIBIT No. 7-C

55

96-92
EST

UNITED KLANS OF AMERICA, INC.
P. O. BOX 321
GRANITE QUARRY, N. C. 28072

DATE 9-17 1965

POSTED

SEP 23 1965

UNITED KLANS OF AMERICA, INC.

WACHOVIA BANK AND TRUST COMPANY
SALISBURY, NORTH CAROLINA

FOR Libby & Eugene

WACHOVIA BANK AND TRUST COMPANY

000000150007

PAY TO THE ORDER OF Ed S. Smith

One Hundred Fifty

DOLLARS

Ed S. Wilson

James R. Jones

1053100920

JAMES JONES EXHIBIT No. 7-D

57

96-92
EST

UNITED KLANS OF AMERICA, INC.
P. O. BOX 321
GRANITE QUARRY, N. C. 28072

DATE 9-17 1965

POSTED

SEP 23 1965

UNITED KLANS OF AMERICA, INC.

WACHOVIA BANK AND TRUST COMPANY
SALISBURY, NORTH CAROLINA

FOR Libby & Eugene

WACHOVIA BANK AND TRUST COMPANY

000000150007

PAY TO THE ORDER OF Ed S. Smith

One Hundred Fifty

DOLLARS

Ed S. Wilson

James R. Jones

1053100920

JAMES JONES EXHIBIT No. 7-E

UNITED KLANS OF AMERICA, INC.
P. O. BOX 331
GRANITE QUARRY, N. C. 28072

DATE 8-20 1965

PAY TO THE ORDER OF M. R. Henegay

One Hundred Fifty Dollars and 00/100

WACHOVIA BANK AND TRUST COMPANY
SALISBURY, NORTH CAROLINA

James R Jones
Fred L Wilson

000000150000

JAMES JONES EXHIBIT No. 7-F

UNITED KLANS OF AMERICA, INC.
P. O. BOX 331
GRANITE QUARRY, N. C. 28072

DATE 8-17 1965

PAY TO THE ORDER OF Donald E. Linger

One Hundred Fifty Dollars and 00/100

WACHOVIA BANK AND TRUST COMPANY
SALISBURY, NORTH CAROLINA

SEP 21 1965
POSTED

Fred L Wilson
James R Jones

000000150000

Mr. APPELL. August 16, 1965.

The CHAIRMAN. It is a period of slightly less than 2 years; is that right?

Mr. APPELL. Yes, sir.

Mr. Jones, from what source was money placed into this account?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Did you write checks against this account for printing in the amount of \$3,677?

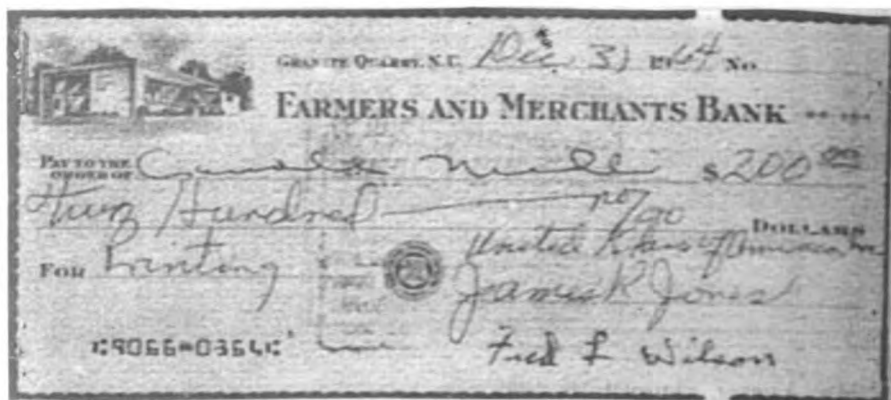
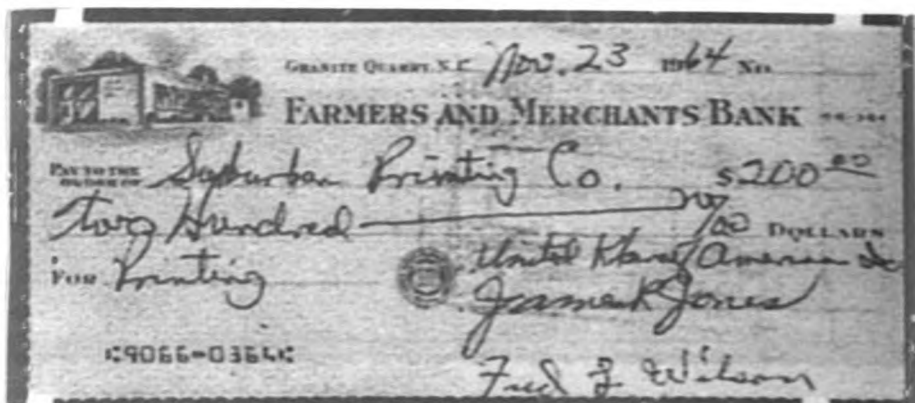
Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Did you write checks to yourself in the amount of \$1,525?

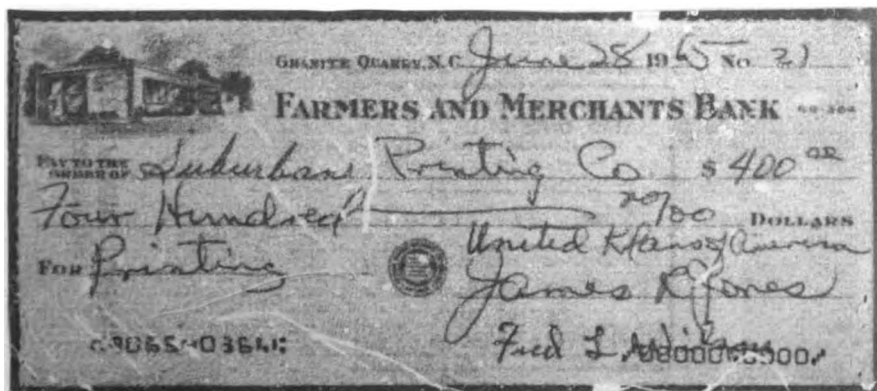
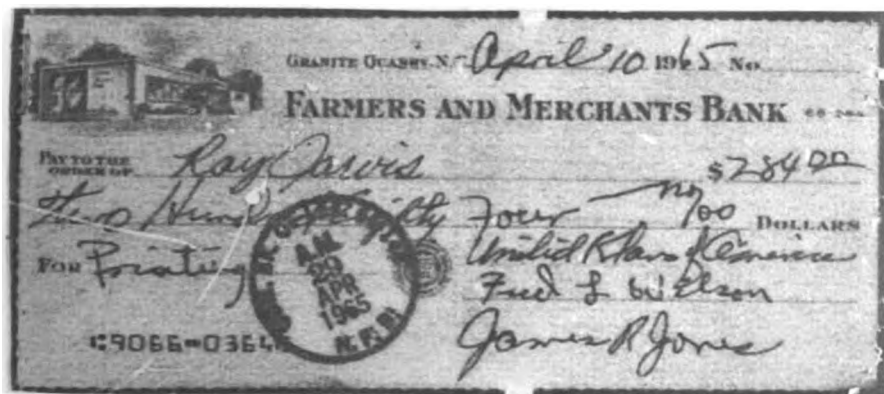
Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Checks marked "James Jones Exhibit No. 8-A" follow:)

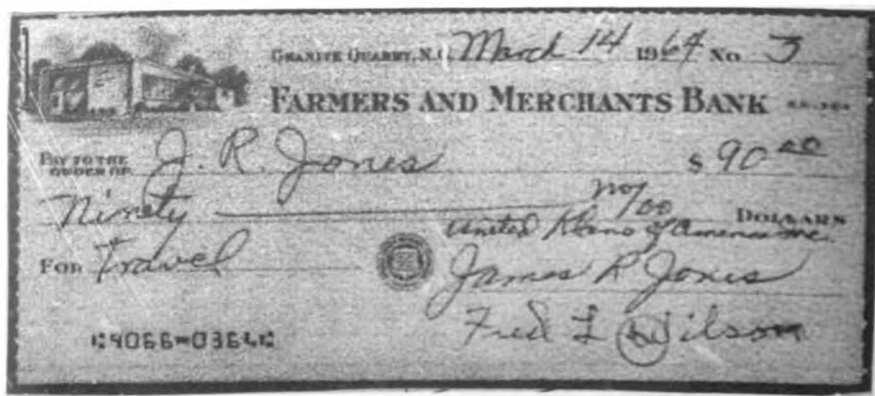
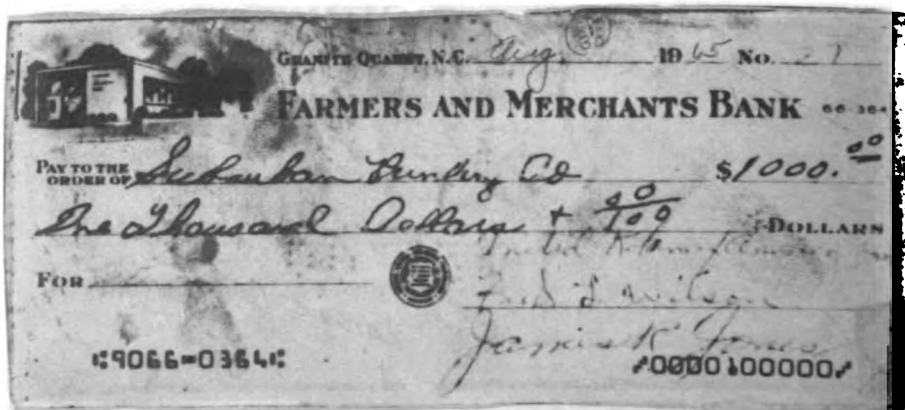
JAMES JONES EXHIBIT NO. 8-A



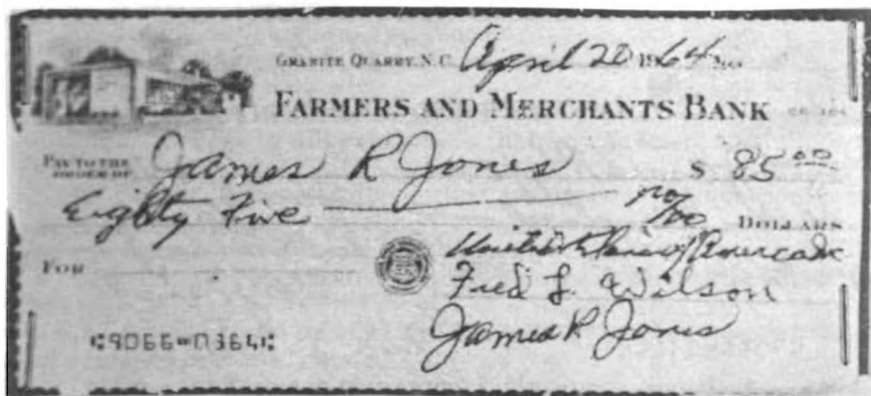
JAMES JONES EXHIBIT No. 8-A—Continued



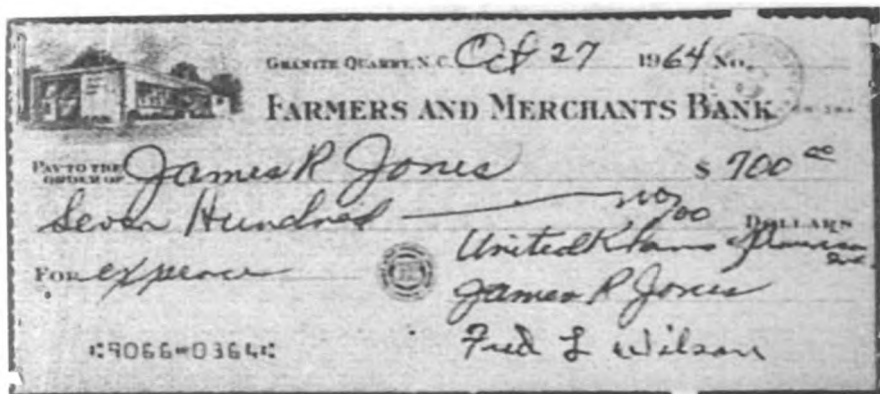
JAMES JONES EXHIBIT No. 8-A—Continued



JAMES JONES EXHIBIT No. 8-A—Continued



JAMES JONES EXHIBIT No. 8-A—Continued



Mr. APPELL. In view of the fact that this is a check by yourself to yourself, I will hand you one and give you an opportunity to see the document, because I would like to ask you who the cosigner on that account is, Fred L. Wilson.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that at the time that check was drawn Fred L. Wilson was treasurer of the Realm of North Carolina, United Klans of America?

Mr. JONES. I respectfully decline to answer that questions based on grounds previously stated.

Mr. APPELL. Isn't it a further fact that he is a member of the same Klavern that you are?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Does our investigation answer that question in the affirmative?

Mr. APPELL. Yes, sir.

The CHAIRMAN. The two questions?

Mr. APPELL. Yes, sir.

Mr. Jones, do you know Roy Woodle?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I saw him on a CBS-TV show, and he talked about how money went to different places that no one knew where it went to. Did you ever pay him any money?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. On June 4, 1965, didn't you make a payment to Roy Woodle out of the account at the Farmers & Merchants Bank for \$20?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I note in this account, Mr. Jones, that there is a check dated August 4, 1965, payable to "M. R. Korneagay" in the amount of \$200. This check reads, "Mistake In Acc[ount]. Washington # 57, Blounts Creek # 25."

Can you tell us what that refers to, sir?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Shelton, the account shows that there were two checks drawn against this account, one on September 19, 1964, in the amount of \$30; another on October 27, 1964, in the amount of \$1,530. The purpose for which the check was drawn was to purchase a truck. Is that truck titled in the name of the United Klans of America or in your own personal name?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Checks marked "James Jones Exhibits Nos. 8-B through 8-E," respectively, and retained in committee files.)

Mr. APPELL. Mr. Jones, do you maintain a bank account at the Security Bank and Trust Company in Salisbury, North Carolina, in the name of Mr. and Mrs. James R. Jones?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Is it not a fact—I place it to you as a fact—that money received from Klaverns in the form of dues are deposited to you, by you, into that account rather than in the accounts in the name of the United Klans of America?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Mr. Appell, you placed that question as a fact?

Mr. APPELL. Yes, sir.

The CHAIRMAN. And repeat it, please. I didn't catch it.

Mr. APPELL. I asked Mr. Jones if it was not a fact that he deposited to the personal account in the name of Mr. and Mrs. Jones, money which he receives from Klaverns in the form of tax.

Mr. Jones, are you acquainted with the Craven County Improvement Association?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I show you a check subpoenaed from the First-Citizens Bank & Trust Company, the account of the Craven County Improvement Association. The check is dated 6-12-1964. It is in the amount of \$5. It says on its face "Tax," and I note that it was deposited, according to the check itself, at the Security Bank & Trust Co. after being endorsed by James R. Jones, and the deposit slips accompanying the committee subpoena from the bank reflect the deposit of this check.

(Document handed to witness.)

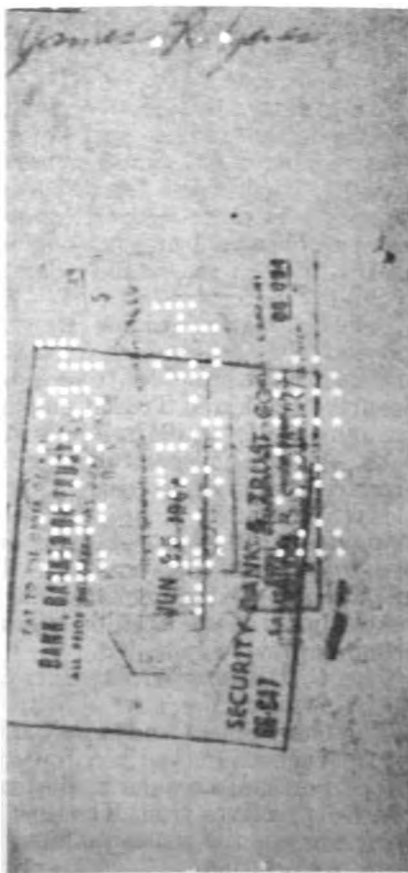
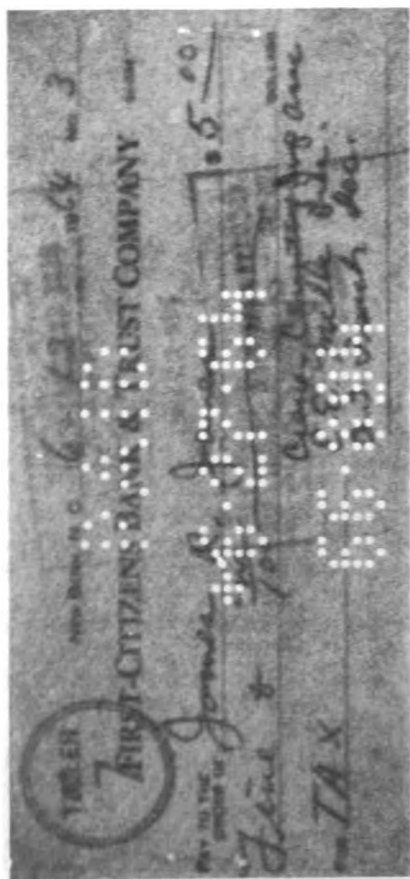
The CHAIRMAN. Are you referring now to the account in the name of Mr. and Mrs. Jones?

Mr. APPELL. Yes; I am, sir.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Check marked "James Jones Exhibit No. 9" follows:)

JAMES JONES EXHIBIT No. 9



Mr. APPELL. Mr. Chairman, we have many accounts of the Klans in North Carolina, all of which consistently reflect that the money paid to Mr. Jones in tax either goes into the account of Mr. and Mrs. Jones or else they are cashed by Mr. Jones in various and sundry places, and I would assume that no bookkeeping record is kept.

Mr. Chairman, with respect to the account of Mr. and Mrs. Jones, an analysis of this account shows that the account was opened in—

The CHAIRMAN. Do you have the analysis?

Mr. APPELL. Yes, sir; I have the analysis, and I am going to deal with it right now.

Mr. Chairman, the analysis of the account of Mr. and Mrs. Jones, as reflected by the ledger cards submitted to the committee in response—

The CHAIRMAN. That is in just one account?

Mr. APPELL. Just one account, sir, shows that the account was opened on January 1, 1961, and that there was deposited to this account during the entire year of 1-1-61 to 10-31-61 a total of \$87.50.

The CHAIRMAN. How much?

Mr. APPELL. \$87.50. During the year 1-1-62 to 12-31-62 there was deposited into that account during the entire year a total of \$98.

Checks written against that account in that year totaled \$97.39, and the balance at the end of the year 1962 was \$6.53.

During the year January 1, 1963, to 12-31-1963 there was deposited to that account a total of \$162. There was disbursed or checks written against the account for \$165.83, leaving a balance at the end of 1963 of \$2.70.

It is the committee's information that Mr. Jones became Grand Dragon in August of 1963 and that during the year 1964 there was deposited to that account \$1,745.85. During the year 1965, from January 8, 1965, through September 3, 1965, there has been deposited to that account \$4,216.20.

The CHAIRMAN. That makes a total of what? Do you have the ready figure? If not, the record will speak for itself.

Mr. APPELL. Of all three accounts, sir?

The CHAIRMAN. Are you talking about three accounts or 3 or 4 years?

Mr. APPELL. We have only totaled the years from January 1, 1964, through 12-31-64, and January 1, 1965, through 8-14-65. The figure shows that the total deposits in 1964 were \$1,745.85; total deposits in 1965 were \$4,216.20. That, roughly, Mr. Chairman, is \$5,962.05 over that 2-year period.

The CHAIRMAN. I suppose you will develop it, but let me ask you this general question, counsel:

Let me ask it of you first, Mr. Jones.

Mr. Jones, you heard these deposits in the joint account of you and your wife. My question is: Is it correct that these funds came from Klan sources?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

(Bank records marked "James Jones Exhibit No. 10" and retained in committee files.)

The CHAIRMAN. What were they disbursed for? Were they disbursed for Klan purposes or for your individual use?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. I wish you would consider that, Mr. Appell, but we have to leave because there is a record vote going on a very important bill. You can make an observation, but we will have to recess until tomorrow.

Mr. APPELL. The observation that I would like to make, Mr. Chairman, is that if we took the money that the committee found to have been deposited during the fiscal year 1965, and we deal only with the fiscal year 1965, deposited into the Alabama Rescue Service account—

The CHAIRMAN. Are you talking about another account now?

Mr. APPELL. I want to tie that of Mr. Shelton's account in the Alabama Rescue Service into what we have found in the fiscal year deposited in Mr. Jones' account, Mr. Shelton—

The CHAIRMAN. This is Mr. Jones.

Mr. APPELL. Yes, but Mr. Shelton, if he had reported all income from all Klan sources and if he had just included the income into North Carolina with the income that went into his organization in Tuscaloosa, he would have reported on the basis of what we have discovered, and only on the Imperial and State level, \$32,845.20.

The CHAIRMAN. That is Mr. Shelton?

Mr. APPELL. Who claims he was reporting income from all sources in his corporate return filed with the Treasury Department.

The CHAIRMAN. And I suppose you will have much more to say about other bank accounts.

Mr. APPELL. Yes, sir, as this hearing proceeds, we will.

The CHAIRMAN. The committee will have to stand in recess until 10 o'clock tomorrow morning.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan.)

(Whereupon, at 4:24 p.m., Wednesday, October 20, 1965, the subcommittee recessed, to reconvene at 10 a.m., Thursday, October 21, 1965.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 1

THURSDAY, OCTOBER 21, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Weltner, and Buchanan.

Committee members also present: Representatives Richard H. Ichord, of Missouri, and George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will please come to order.

There are enough seats for everybody. Please be seated. We welcome you. I again thank the audience for their fine cooperation.

Call your first witness, Mr. Appell.

Mr. APPELL. Mr. Chairman, I would like to recall to the stand Mr. James R. Jones.

The CHAIRMAN. The photographers will desist.

Proceed.

TESTIMONY OF JAMES ROBERTSON JONES, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.—Resumed

Mr. APPELL. Mr. Jones, yesterday you were asked to give the committee the benefit of your employment background. Is it not a fact that since 1960 you have not had what could be considered regular employment with any employer?

Mr. JONES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me

in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Isn't it a fact that your gross income for 1960 was \$3,872.98?

Mr. JONES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Isn't it a fact that your gross income in 1961 was \$1,630.75?

Mr. JONES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Isn't it a fact that your gross income for 1962 was \$3,579?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Isn't it a fact that your gross income for 1963 was \$2,766.35?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Jones, in reporting a gross income in 1963 of \$2,766.35—

The CHAIRMAN. Do you mean on his income tax return?

Mr. APPELL. Yes, sir. —you reduced that income so that you came out on your tax return losing \$113.65 for the year. You deducted as an item of expense 30,000 miles of travel in your automobile at 9 cents a mile, or \$2,700. How much of that 30,000 miles was traveled by you as an official of the United Klans of America?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that in your 1964 income tax you reported a gross income from only one employer, the United Klans of America, in the amount of \$8,923.05?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. What year was that?

Mr. APPELL. 1964, Mr. Chairman.

(At this point Representative Ashbrook entered the hearing room.)

Mr. APPELL. The gross income was \$8,923.05, Mr. Chairman.

Mr. Jones, as deductions from that gross income, did you not deduct items which you were paid for from the bank accounts of the United Klans of America?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(At this point Representative Pool entered the hearing room.)

The CHAIRMAN. Was the reported income of \$8,923 a true and correct gross income you received for 1964 from all sources?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff would like to introduce as exhibits at this time—and, Mr. Chairman, with your permission, I would like to ask that all documents exhibited during the testimony of Mr. Jones be admitted in evidence in the sequence in which they are offered in order that I not ask on each individual occasion.

The CHAIRMAN. That leaves a loophole as to the order in which they are offered. Offer them in each instance. Why don't you say "as referred to"?

Mr. APPELL. As referred to, sir.

Mr. ASHBROOK. Mr. Chairman, could I ask a question?

The CHAIRMAN. Mr. Ashbrook?

Mr. ASHBROOK. The question up to now, Mr. Jones, was in regard to your return. The legislative pertinence and purpose deals with whether, in fact, you have received any money, expense money, as a Klan leader or a member of a Klan.

Have you, in fact, received expense money for the duties that you have as a Klan leader in your State?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. I might point out that the income tax return itself indicates that the total earnings or income reported was derived from the United Klans of America.

Did you not say that, Mr. Appell?

Mr. APPELL. The form itself Mr. Chairman, is an attachment to the return. It is entitled "Profit (Or Loss) From Business Or Profession." The first line states "James R. Jones." The second line, "A," states: "Principal business activity: United Klans of America; product, Service." Gross income, \$8,923.05.

Mr. Jones reduces this in order to pay tax on a net income of \$1,991.55 as follows: Robes, \$531.51; Interest, \$112.31; Telephone (toll calls), \$484.05; Electronic Repairs, \$314.98; Printing Literature, \$2,941.77; Auto Expense, Gas, Oil, Repairs et cetera, \$1,851.28; Depreciation, a 1964 truck which, incidentally, Mr. Chairman, we showed yesterday was paid from the United Klans of America bank account at Granite Quarry, North Carolina, depreciation, 1964 International truck, purchased 9-1-64, cost \$2,030, 3 years expectancy, \$215.60; Expense, Lodging Away From Home, \$480, or a total expense, the great bulk of which is paid from accounts in the name of the United Klans of America, in the amount of \$6,931.50.

The CHAIRMAN. The question now, Mr. Jones, is this, and it may be repetitious but it will be final: Is it not a fact that some, most, and practically all of these deductions that you claimed from your reported income you had already received from the United Klans of America or from some of your Klaverns?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Income Tax Returns for Years 1960-1964, inclusive, marked "James Jones Exhibits Nos. 11-A through 11-E," respectively, and retained in committee files.)

Mr. CHALMERS. Mr. Chairman, may I state to you, sir, and to the committee, that that is exactly the reason we did not bring any income tax returns up here, because we were well aware that those income tax

returns were available to the committee from another source and we knew that those income tax returns——

The CHAIRMAN. I am surprised at that coming from you, sir.

Let me see that subpoena.

That is for the birds and that is for the press.

I ask your client or you. Do you say that we had the information called for in any more items that you know of?

Mr. CHALMERS. No, sir. Mr. Chairman: I am not saying that. No, sir.

The CHAIRMAN. And you refuse, or your client refused, to produce all of the items listed in the attachment to the subpoena based on alleged self-incrimination, which were rejected. Do you contend that all of the items called for would be self-incriminating?

Mr. CHALMERS. I cannot stipulate to that, sir.

The CHAIRMAN. I will ask him.

Is it your contention that you refuse to produce the items, the page of them, called for by the attachment to the subpoena because it would incriminate you if you produced them?

Mr. JONES. I respectfully decline to answer that question on the grounds previously stated.

The CHAIRMAN. Of course, if you wish to be selective about it, you may not.

Proceed.

Mr. APPELL. Mr. Jones, yesterday we went into your account or the account in the name of the United Klans of America maintained by the Wachovia Bank which showed considerable deposits starting with May 13, 1965.

In July, or toward the end of July of 1965, did you say to the Klansmen throughout North Carolina in a communication by you, and I quote:

Money coming in for people on the road is slow. The payroll for the Klan employees is \$600.00 per week, so in order to keep these people at work, we are going to have to have more support.

Please make payroll checks sent in, payable to United Klans of America, Wachovia Account or special account.

Isn't it a fact that between May 13th and June 28th you had placed into that account \$5,046.55, had paid out only \$750, and you are telling your membership that money is coming in slow?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 12" and retained in committee files.)

Mr. APPELL. Mr. Jones, I have in my hand a document, on the stationery of the United Klans of America——

Mr. POOL. On that last question you asked, what was your authority for that last statement?

Mr. APPELL. A statement by Mr. Jones sent out to Klaverns throughout the State of North Carolina.

Mr. POOL. Was that mailed to them?

Mr. APPELL. Yes, sir.

Mr. POOL. Do you have copies of it?

Mr. APPELL. We have excerpts, sir.

The CHAIRMAN. I suppose that will be offered in evidence.

Mr. APPELL. Yes, sir.

Mr. Jones, we have a document on the letterhead of the "United Klans of America, Inc., Knights of the Klu Klux Klan, P.O. Box 84, Whitnel, N.C." This is a form letter addressed "Dear Sir":

It has been brought to our attention that you are a sound believer in the "RIGHTS FOR THE WHITES".

We know that you would like to become a member of your local Klan, but due to your business or other reasons you cannot afford to. This is why we are writing you this letter of top secret.

We would like you to know that you can help fight for the freedom of all whites just as hundreds of others are doing, by making a donation to your local Klu Klux Klan unit. Your donation will be used to help make our community a better place to live.

Your donation will be of top secret and will not be revealed to anyone.

So whether making a donation or not, please place this letter in the enclosed self-addressed stamped envelope and mail today.

Thanking you for your donation and cooperation.

Please make your check payable [as this one says] to: Caldwell Improvement Assn. Thank you.

K K K K

Mr. Jones, were form letters similar to this sent to businessmen and other people throughout the State of North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 13." See p. 1736.)

The CHAIRMAN. Mr. Appell, I happen to have in my office, and I don't know if you have it, a circular by, I think, the United Klans, although I will have to verify it, or perhaps it is Shelton's, indicating in plain print on the circular a similar appeal to this one, to the effect that donations would be income tax deductible. I notice in this particular one that is not included.

Mr. APPELL. No, sir; it is not. It is the committee's information that back in 1961 Calvin Craig, the Grand Dragon—

The CHAIRMAN. That is the one I am talking about.

Mr. APPELL. —Calvin Craig, the Grand Dragon of North Carolina, put out a circular in which he put on the bottom that it was tax exempt. He was advised by the Internal Revenue that it was not a tax exempt organization.

Mr. Shelton, through counsel, requested the Internal Revenue Service to forward him copies of the necessary forms in which an organization could be declared tax exempt, and he never executed the forms and the United Klans of America, Knights of the Ku Klux Klan, or under the name of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., have never been granted tax exempt status by the United States Government.

Mr. WELTNER. Mr. Chairman, the record ought to show that Calvin Craig is the Grand Dragon of Georgia, not of North Carolina.

Mr. APPELL. I am sorry, sir.

The CHAIRMAN. That is the document I have reference to.

As I say, though, to make the record straight, this letter, at least, does not make that claim.

Mr. APPELL. It does not, Mr. Chairman.

JAMES JONES EXHIBIT No. 13

United Klans of America, Inc.

Knights of the Klu Klux Klan

P. O. BOX 84

WHITNEL N C

Dear Sir:

It has been brought to our attention that you are a sound believer in the "RIGHTS FOR THE WHITES".

We know that you would like to become a member of your local Klan, but due to your business or other reasons you cannot afford to. This is why we are writing you this letter of top secret.

We would like you to know that you can help fight for the freedom of all whites just as hundreds of others are doing. by making a donation to your local Klu Klux Klan unit. Your donation will be used to help make our community a better place to live.

Your donation will be of top secret and will not be revealed to anyone.

So whether making a donation or not, please place this letter in the enclosed self-addressed stamped envelope and mail today.

Thanking you for your donation and cooperation.

Please make your check payable to:

Caldwell Improvement Assn. *JK* *51*

Thank you.
K K K K

Mr. Chairman, I would like to have received in the record at this point, and I do not intend to go into the items, these documents. The staff has throwaways or leaflets announcing Klan rallies in the State of North Carolina starting Sunday, April 4, 1965, and running through one they expect to have this Saturday, October 23, at Supply, North Carolina.

The CHAIRMAN. Let me see one.

Mr. APPELL. Yes, sir. There is a total of 67 of these, all of which, of course, except the ones they haven't held, they have passed the plate at, they have sought donations of money. I would like to ask that these circulators be accepted into the record at this point in the order of their date.

The CHAIRMAN. It will be so ordered, and the document previously referred to, specifically, the letter just read, will be inserted into the record at the point where Mr. Appell described it.

(Documents marked "James Jones Exhibits Nos. 14-1 through 14-67," respectively, and retained in committee files.)

Mr. APPELL. The committee subpoenaed from the Suburban Printing Company, Lexington, North Carolina, invoices of printing work done by them during the years 1964 and 1965.

The CHAIRMAN. It is a fact, is it not, Mr. Jones, that these throwaways or leaflets were widely distributed in large numbers, in thousands?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. One of the invoices submitted to the committee in accordance with this subpoena is an invoice——

The CHAIRMAN. What subpoena?

Mr. APPELL. A subpoena on the Suburban Printing Company of Lexington, North Carolina. — is dated October 8, 1965, billed to James R. Jones, Box 321, Granite Quarry, North Carolina. It shows that the order number was No. 527.

The CHAIRMAN. You don't have to describe it in great detail.

Mr. APPELL. It calls for 10,000 copies of "Widows Benevolent Fund Applications" at a cost of \$115.36.

Mr. Jones, who is the custodian of the Widows Benevolent Fund?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 15-A.")

Mr. APPELL. Mr. Chairman, I would like to ask that this form of application printed for Mr. Jones by the Suburban Printing Company be entered into the record at this point, and I would like to read from it. It is to be signed by the applicant. It says:

I, hereby, agree that to benefit from this plan I must stay in good standing within my own unit and must pay promptly the \$1.00 assessment fee in case of death of any member. I, hereby, agree that in case of my leaving the unit for any reason that I will forfeit any and all benefits and monies I may have paid in.

Under the "NAME of UNIT," there is an amount of \$999.95.

Is that the amount that would be paid to the widow or beneficiaries of a deceased Klansman in case of death out of this fund?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 15-B." Exhibits 15-A and 15-B follow:)

JAMES JONES EXHIBIT No. 15-A

DATE **October 8, 1965**

YOUR ORDER NO.

NO. **527**

James R. Jones
Box 303
Granite Quarry, N. C.

Net 30 Days

10,000	Witness Benevolent Fund Applications	
	Tax	\$112.00 <u>3.36</u> \$115.36
	Large Enough To Serve You... Small Enough To Appreciate Your Business	

JAMES JONES EXHIBIT No. 15-B

APPLICATION TO **Widows Benevolent Fund**

NAME _____ DATE of BIRTH _____

ADDRESS _____

NAME of UNIT _____

AMOUNT \$999.95

Beneficiary _____ Relationship _____

I, hereby, agree that to benefit from this plan I must stay in good standing within my own unit and must pay promptly the \$1.00 assessment fee in case of death of any member. I, hereby, agree that in case of my leaving the unit for any reason that I will forfeit any and all benefits and monies I may have paid in.

OK BY _____

AGENT

SIGNATURE of APPLICANT

DATE of APPLICATION _____ UNIT NO. _____

The CHAIRMAN. That, I take it, is sort of an insurance policy for the widow of a Klansman who dies?

Mr. APPELL. Yes, sir.

The CHAIRMAN. And this monthly dues of \$1.00 is strictly an insurance payment and not, of course, the regular dues as a Klansman or for other paraphernalia they have to buy?

Mr. APPELL. Mr. Chairman, it is not a dollar a month as I read the application. In the case of the death of a Klansman, every member of the Klan who signs up in the Widows Benevolent Fund will be assessed a dollar, and a sum will then be paid to the widow or beneficiary.

I do not know the significance of the amount of \$999.95 that appears on this application. I was in hopes that Mr. Jones who ordered this printing and who is apparently the author of the plan would advise the committee of it and advise the committee as to whether or not he

had discussed this matter under the North Carolina State insurance laws.

The CHAIRMAN. Let me ask you this question: I happen to know from personal knowledge of a plan somewhat, I gather, along these lines, that the people who pay in and subsequently no longer belong to the organization must forfeit what was previously paid. That is number one.

Number two, I accept this statement that in case of death the widow, if her husband was still in good standing and had not forfeited, would receive \$999.95. But the hitch is that there are usually many more members than are needed to get \$999.95, so there is a huge profit on the side and the net result is that the more who die the more money they make.

I am not saying that is the plan, but I will ask you if that is substantially the plan, Mr. Jones.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Jones, did a—

The CHAIRMAN. Wait a moment. What is the name? Is that a corporate entity?

Mr. APPELL. Mr. Chairman, our only knowledge of this comes from the subpoena on the Suburban Printing Company.

The CHAIRMAN. What is the name of it?

Mr. APPELL. Widows Benevolent Fund.

The CHAIRMAN. Is there a corporation by that name, Mr. Jones?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Whether it is a corporation or an entity in the form of a partnership, in which case a memorandum return would have to be made, a return by that Widows Benevolent Fund—an income tax return—I would judge would have to be filed. Do you know whether an income tax return has been regularly filed by the Widows Benevolent Fund?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Jones, in December of 1964, or late November 1964, did you, together with a few of your top leaders, decide that it would be a good idea to coerce the Klan leadership into presenting you with a 1964 Cadillac?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Did you receive and accept that Cadillac?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Chairman, with respect to the Cadillac, I would like to enter into the record at this point a document obtained through subpoena from the Farmers & Merchants Bank, which is a note signed by James Robertson Jones in the amount of \$5,868, calling for payment at the rate of \$163 a month for a 1964 Cadillac, serial number 64G074473, including radio, heater, spare tire, wheel, and all other accessories. "Witness my hand * * * the 15 day of December, 1964, James Robertson Jones."

The CHAIRMAN. Ask him if he signed it.

Mr. APPELL. I show you this document, Mr. Jones, and ask you if you did sign that note?

(Document handed to witness.)

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "James Jones Exhibit No. 16.")

Mr. APPELL. Mr. Jones, after the decision was made by your leadership to buy you this 1964 Cadillac, were Klans assessed sums of money for the purpose of paying off the note which you signed?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Chairman, the ledger sheet supplied by the Granite Quarry Bank [Farmers & Merchants Bank], showing the payments made, shows that between January 26, 1965, and September 29, 1965, there had been paid off on this automobile—well, the balance owed had been reduced to \$898.10.

The CHAIRMAN. Have any payments been made since September?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 17." Exhibits Nos. 16 and 17 appear on pp. 1742, 1743-1744.)

Mr. POOL. What was that total?

Mr. APPELL. The balance on September 29 owed on the car was \$898.10.

Mr. Jones, isn't it a fact that Mr. Kornegay made a report to the membership as the chairman of the car committee in which he claimed that:

Listed below are the latest amounts paid on Cadillac:

Norlina 185.00, Raleigh 175.00, Clinton 175.00, Enfield 175.00, Farmville 175.00, New Bern 175.00, Henderson 175.00, Dunn 175.00, Louisburg 175.00, Goldsboro 172.35, Jones County 150.00, Seven Springs 150.00, Blounts Creek 150.00, Washington 150.00, Wilson 150.00, Kinston 150.00, Ayden 150.00, La Grange 150.00, Deep Run 150.00, Pleasant Hill 150.00, Beulaville 150.00, Durham 128.00, Williamston 125.00, Tarboro 100.00, Rocky Mt. 100.00, Cherryville 90.00, Biscoe 60.00, Greensboro 59.00, Lexington 50.00, Sophia 50.00, Nashville 50.00—

The CHAIRMAN. Nashville, North Carolina?

Mr. APPELL. Yes, sir. [Continues reading:]

Burlington 45.00, Salisbury 42.00, Pittsboro 40.00, Sanford 26.00, Greenville 25.00, High Point 25.00, Atkinson 25.24, Roanoke Rapids 20.00, Wilmington 18.00, LADIES UNITS Wilmington 25.00, Salisbury 20.00, Raleigh 17.00, and Louisburg 15.00.

Total sent in \$4,522.59, total paid out \$4,522.59. Balance owed on car \$1,286.62.

This is signed "M. R. Kornegay, Chairman Car Committee."

"P.S. Please do not send the balance of your obligation on car to me, but to above party," referred to in the first paragraph as "Mrs. James R. Jones, P.O. Box 321, Granite Quarry."

I show you this document addressed to "Esteemed Klansmen" and ask you if this is a factual copy of a document sent out by Mr. Kornegay?

(Document handed to witness.)

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 18-A" appears on p. 1746.)

The CHAIRMAN. Mr. Jones, I take it that these payments were re-

JAMES JONES EXHIBIT No. 16

NOTE

No.

FARMERS & MERCHANTS BANK

\$ 5868.00

Granite Quarry, N. C.,

December 15, 1964

I, (We), James Robertson Jones

of the County of

Rowan

State of North Carolina, am (are), jointly and severally, as principal(s), indebted to and promise to pay to the FARMERS & MERCHANTS BANK, Granite Quarry, N. C., or order, the sum of **FIVE THOUSAND EIGHT HUNDRED SIXTY EIGHT & 40/100-----**

Dollars, payable in **36** installments of \$ **163.00** Dollars, the first payment to be on the **15th** day of **January**, **1965**, and a similar payment of \$ **163.00** to each month

Granite Quarry, N. C.

In the event the maker(s) hereof shall fail to pay any installment hereof, either of principal or interest, when the same shall become due and payable, then and in that event, the full amount thereof shall immediately become due and payable.

This note is secured by a Chattel Mortgage of even date herewith upon the following described personal property to wit:

1964 Cadillac, 8F64G074473 including radio, heater, spare tire, wheel, and all other accessories.

The transfer, renewal, extension or assignment of this note or any interest thereunder, or loss, injury or destruction of said property shall release the maker hereof from his legal obligation hereunder.

In the event maker(s) default(s) on any payment due on this note or fail(s) to comply with any condition of this contract or a proceeding in bankruptcy, reorganization or liquidation of the maker(s) or his (their) property, or anyone deems the property in danger of misuse or confiscation, the full amount shall be immediately due and payable, the payee(s) or holder(s) after the full amount may have been immediately due and payable as hereinafter provided, if any installment or payment shall be deemed to have or effect the maker(s) obligation and/or the payee(s) give hereunder with respect to any subsequent payments or default thereon.

Maker(s) shall keep said property free of all taxes, liens and encumbrances, shall not use same illegally, unlawfully or for hire, shall not remove same from the state without the consent of the payee(s) of this note, shall not transfer any interest in this note or said property. Any sum of money paid by the payee(s) in payment or discharge of taxes, liens and encumbrances on said property shall be secured by and under this note. The proceeds of any insurance, whether paid by reason of loss, theft, fire, flood, lightning, or otherwise, shall be paid toward the replacement of the property or payment of this obligation, at the option of payee(s). Payee may cause said property to be repaired and therefor any accidental physical damage to the car to be paid maker, payee or payee's assignee. Maker(s) agree(s) to pay the premium upon demand and thereafter to do so, payment of said premiums shall be secured by this note.

Time of the essence of this note and if maker(s) default in complying with the terms of this note, payee(s) may take possession of the property or cause it to be sold by, payee(s) or any other officers of the law may take immediate possession of said property without demand process on after default being in default, including any equipment, fixtures, accessories, and for this purpose payee(s) may enter upon the premises where said property may be and remove same. Such repossession shall not affect maker(s) right to file a claim for the return of said property made prior thereto by the maker(s). Payee may resell said property, so resold, at public or private sale and the proceeds of such sale shall be paid to the maker(s) or his (their) assignee. In any event, payee(s) shall have a lien on said property for the amount of the unpaid balance of this note and for reasonable attorney's fees and selling such property, including a reasonable attorney's fee. The balance interest shall be applied to interest due, and balance is to be paid over to maker(s), in case of deficiency maker(s) shall pay the same with interest. Payee may take possession of any other property in the above described manner at any time of repossession, wherever such other property may be then, and hold same temporarily for maker(s) without liability on the part of payee(s).

Payee shall have the right to enforce one or more remedies hereunder, successively or concurrently. Maker(s) hereby waive(s) the right to remove any legal action from the court of law to the court of equity and waive(s) all homestead and other statutory exemption laws. Any provision of this note prohibited by law of any state shall be so construed as to conform to the intent of such prohibition without affecting the remaining provisions of this note.

Witness my (our) hand(s) and seal(s), this

15

day of

December

1964

James Robertson Jones
Address

(SEAL)

(Sign)

(Sign)

(Sign)

Address

(SEAL)

Witness

(Sign)

(Sign)

(Sign)

1743

A

NAME

DEALER ENDORSE OR COLLATERAL IF ENDORSEMENT

CODE

PLS NO

DUE DATE:

5575

DATE OF SALE

AMOUNT OF NOTE

12-15-64

\$5868.00

— — — — —

MATURITY

12-15-67

FIELD PRICE: CASH-115

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● Section 2

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PAYMENT SCHEDULE			BAL. AFTER PAYMENT	PAYMENTS MADE			NO.
DATE PAID	MEMO	AMOUNT DUE	DATE	ACCOUNT NO.	AMOUNT	LATE CHGE.	
FEB 1-65		163.00	5,705.00	JAN 26/65	5,575	163.00	1
FEB 15/65		163.00	5,542.00	MAR 1/65	5,575	163.00	2
MAR 15/65		163.00	5,379.00	MAR 30/65	5,575	163.00	4
APR 15/65		163.00	5,216.00	APR 27/65	5,575	163.00	5
MAY 15/65		163.00	5,053.00	JUN 1/65	5,575	163.00	6
JUN 15/65		163.00	4,890.00	JUN 18/65	5,575	163.00	7
JUL 15/65		163.00	4,727.00	JUL 15/65	5,575	163.00	8
AUG 15/65		163.00	4,564.00	JUL 21/65	5,575	163.00	9
SEP 15/65		163.00	4,401.00	JUL 21/65	5,575	163.00	10
OCT 15/65		163.00	4,238.00	JUL 21/65	5,575	163.00	11
NOV 15/65		163.00	4,075.00	JUL 21/65	5,575	163.00	12
DEC 15/65		163.00	3,912.00	JUL 21/65	5,575	163.00	13
JAN 15/66		163.00	3,749.00				14
FEB 15/66		163.00	3,586.00				15
MAR 15/66		163.00	3,423.00				16
APR 15/66		163.00	3,260.00				17
MAY 15/66		163.00	3,097.00				
JUN 15/66		163.00	2,934.00				



CAT. NO. 7117 NP

JAMES JONES EXHIBIT No. 17—Continued

REMARKS

B

James Robert Jones

PAYMENT SCHEDULE			BAL. AFTER PAYMENT	PAYMENTS MADE			PAGE
DATE DUE	MEMO	AMOUNT DUE		DATE	ACCOUNT NO.	AMOUNT	
JUN 15/66		163.00	1,572.10				
JUL 15/66		163.00	1,409.10				
SEP 15/66		163.00	1,246.10				
OCT 15/66		163.00	1,083.10				
NOV 15/66		163.00	920.10				
DEC 15/66		163.00	757.10	195310 SEP 1/65	5,5751,958.90		
JAN 15/67		163.00	594.10				
FEB 15/67		163.00	431.10				
MAR 15/67		163.00	268.10				
APR 15/67		163.00	105.10				
MAY 15/67		163.00	(58.00)				
JUN 15/67		163.00	(221.00)	89810 SEP 29/65	5,5751,055.00		
JUL 15/67		163.00	(384.00)				
AUG 15/67		163.00	(547.00)				
SEP 15/67		163.00	(710.00)				
OCT 15/67		163.00	(873.00)				
NOV 15/67		163.00	(1,036.00)				
DEC 15/67		163.00	(1,199.00)				

mitted by the exalted cyclops, the heads of these various Klaverns; am I correct?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. It is my understanding that all of the Klaverns have, just like your higher unit, some sort of rules, constitution, and bylaws, requiring that expenditures be approved by someone.

Do you know whether these exalted cyclops just took it upon themselves, with your committee group, to make these payments, or whether they were approved by the general membership of these various Klaverns?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Do you know whether the general membership has ever known anything about this transaction?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Chairman, this letter from which I have just read, addressed to the "Esteemed Klansmen," accompanied a letter addressed to the "Esteemed Klansmen" signed by Mr. James R. Jones as the Grand Dragon, North Carolina.

He says, and I quote from just one or two paragraphs, although I ask that the entire document and the one previous be placed in the record at this point, "Mr. M. R. Kornegay"—

The CHAIRMAN. Mr. Appell, you will have to have a general pattern. It will be confusing if you offer some. All those you talk about will be received in evidence as you describe them. Either that or you will have to offer each one.

Mr. APPELL. I prefer your previous suggestion.

I will quote from two paragraphs of the letter which accompanied the Kornegay letter which I just read. This is signed by James R. Jones, Grand Dragon, North Carolina:

Mr. M. R. Kornegay is no longer with us. He is now Grand Dragon of Virginia, being Grand Dragon of Virginis [sic] he has all the problems he can handle.

It was a pleasure having him in the State of North Carolina but please refrain from bothering him with North Carolina problems.

Money on the car from now on will be made out to Mrs. James R. Jones and sent to the State Office. Enclosed you will find a letter showing the amount each unit has sent in, if this is not right please let me know.

As soon as time permits I will send out the letter on the State meeting. If I can be of any help don't hesitate to call.

Yours for God & Country.

/s/ James R. Jones.

And following this is a note: "P.S. Syble"—and this is the name of Mr. Jones' wife—

The CHAIRMAN. I don't think you ought to question him about her.

Mr. APPELL. Following the "P.S." which I will not go into on your instruction, Mr. Chairman, there is a listing of dates to remember: September 8, Henderson, and there is an additional listing of locations and dates where rallies are to be held.

Mr. Chairman, these "Esteemed Klansmen" letters are not dated.

(Document marked "James Jones Exhibit No. 18-B" appears on p. 1747.)

JAMES JONES EXHIBIT No. 18-A

Esteemed Klansmen:

I would like to convey to you my sincere appreciation for the work and money put into this endeavor for your Grand Dragon. Please look at your unit and the amount paid and if it is not up to what you know is your fair share, please send in the balance. Send all money for Cadillac to: Mrs. James R. Jones, P. O. Box 321, Granite Quarry.

Also, I would like to take this opportunity to say that I have truly enjoyed meeting with you and being a part of this fine organization. I know that with the type of Klanspeople we have here that North Carolina will certainly go forward on this hard road back to a great America. May you forever give your leaders your unwavering loyalty and full support, so they may do a better job.

HANG TOGETHER OR HANG ALONE.

A stage driver passed o'er a trail one day
Past meadow and woodland he took his way
His long whip snapping with unerring aim,
Whether standing or moving, 'twas just the same.
A horsefly fell to his snaky lash
Shot out as sure as the lightning's flash;
A grasshopper here, a butterfly there,
Fell to his aim, as they winged the air.
A hornet's nest hung on a limb nearby,-
But the driver passed that carefully by.
"How come?" the passengers cried surprised.
"Why", answered he, "they're organized!"
Horsefly, butterfly, grasshopper, too
Their fate is a lesson and warning to you,
You will flutter and fall like the hoppers and flies,
Unless, like the hornets, you're organized!

Listed below are the latest amounts paid on Cadillac:

Morlina 185.00, Raleigh 175.00, Clinton 175.00, Effield 175.00, Farmville 175.00, New Bern 175.00, Henderson 175.00, Dunn 175.00, Lenoir 175.00, Goldsboro 172.35, Jones Co. 150.00, Seven Springs 150.00, Blounts Creek 150.00, Washington 150.00, Wilson 150.00, Kinston 150.00, Ayden 150.00, LaGrange 150.00, Deep Run 150.00, Pleasant Hill 150.00, Beulaville 130.00, Durham 128.00, Wilkesboro 125.00, Warboro 100.00, Rocky Mt. 100.00, Cherryville 90.00, Blaine 60.00, Greensboro 59.00, Lexington 50.00, Sophia 50.00, Nashville 50.00, Burlington 45.00, Salisbury 42.00, Pittsboro 40.00, Sanford 26.00, Greenville 25.00, High Point 25.00, Athens 25.24, Roanoke Rapids 20.00, Wilmington 18.00, (LADIES UNITS) Wilmington 25.00, Salisbury 20.00, Raleigh 17.00, and Lenoir 15.00.

Total sent in \$ 4,522.59, total paid out \$ 4,522.59. Balance owed on car \$ 1,286.62.

M. R. Kornegay
Chairman Car Committee

P. S. Please do not send the balance of your obligation on car to me, but to above party.

JAMES JONES EXHIBIT No. 18-B

Esteemed Klansmen,

I would like to take this opportunity to thank you for the fine cooperation we have had in July and August and hope to get the same cooperation at the rallies in September and October. The next 90 days in North Carolina may prove to be rough, so let me ask you to conduct yourself as the fine people I know you are.

The first Sunday in October for the people in the Second Congressional District at 3 P. M. in Enfield, N. C. over the Fire Department there will be a Province meeting to elect new Province officers in the Second Congressional District. All units are expected to have (10) ten men from each unit present as voting delegates.

The second Sunday in October, 3rd Congressional District will be expected to have the same amount of delegates at the Klavern Hall in Dunn to elect new Province Officers and Titan widows benevolent fund application forms. If you need them write the State office. We want to get them in as soon as possible. They must be in by October 15th or it will not be able to be put in effect.

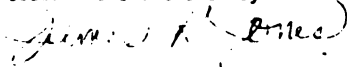
Mr. M. R. Kornegay is no longer with us. He is now Grand Dragon of Virginia, being Grand Dragon of Virginia he has all the problems he can handle.

It was a pleasure having him in the State of North Carolina but please refrain from bothering him with North Carolina problems.

Money on the car from now on will be made out to Mrs. James R. Jones and sent to the State Office. Enclosed you will find a letter showing the amount each unit has sent in, if this is not right please let me know.

As soon as time permits I will send out the letter on the State meeting. If I can be of any help don't hesitate to call.

Yours for God & Country



James R. Jones
Grand Dragon
North Carolina

P. S. Syble said to ask each of you to get on the ball and send in the stamps. We have about 400 books at present. This is still a long way from 2,000. Thanks.

DATES TO REMEMBER:

September 8 - Henderson	9 - Franklin County
10 - Washington	11 - Williamston
12 - Pamlico County	13 - Plymouth
14 - Cove City	15 - Aurora
16 - Swan Quarter	17 - Durham
18 - Winston	19 - Boiling Springs
20 - Hamstead	21 - Whiteville
22 - Supply	23 - Wilmington
24 - Apex	25 - Clayton
26 - Raleigh	

September 27, 28, 29 and 30 and October 1 - Mountains

Rally dates to follow.

The CHAIRMAN. Does this letter purport to have been sent to the general membership or to the exalted cyclops of the Klaverns? I want the record to be straight on that. I didn't mean to be putting words in his mouth when I asked a question. I want information.

MR. APPELL. Mr. Chairman, only Mr. Jones can answer to the full extent of the distribution of the "Esteemed Klansmen" letter.

The CHAIRMAN. I asked him. Well, the document will speak for itself.

MR. APPELL. Yes, sir. The point I wish to make is that giving notice to the membership of a rally to be held on September 8th, this document had to be mailed prior to September 8th and, therefore, Mr. Kornegay's report that \$4,522.59 had been sent in and the total paid out was \$4,522.59 does not jibe with the statement of payments as received by us from the bank.

If we total up the amounts paid and the dates upon which they were paid, there was only \$3,914.90 paid into this fund prior to September 1 of 1965.

The CHAIRMAN. I will ask this direct question: Mr. Jones, did you pocket or keep or use personally these car payments, which obviously had been agreed upon, instead of applying them all to your note?

MR. JONES. I respectfully decline to answer that question based on grounds previously stated.

(At this point Mr. Buchanan left the hearing room.)

MR. APPELL. Mr. Jones, I ask you as a fact if you also own a 1964 Dodge station wagon?

MR. JONES. I respectfully decline to answer that question based on grounds previously stated.

MR. APPELL. Mr. Chairman, the Department of Motor Vehicles of the State of North Carolina, Raleigh, North Carolina, in response to an inquiry made of them, has sent us a letter.

I would like to read two paragraphs:

License DR-6195 was issued to James Robertson Jones, Granite Quarry, North Carolina covering 1964 Dodge Station Wagon, serial 7542584428. Mr. Jones purchased this vehicle new from Ray Bandy, Inc., of Rocky Mount, North Carolina. North Carolina title 6413226 was mailed to lien holder, Farmers and Merchants Bank, Granite Quarry as they hold \$2150.00 chattel mortgage dated April 22, 1964. Date of purchase from Ray Bandy, Inc. by Mr. Jones is April 23, 1964.

License DR-6196 was issued to James Robertson Jones, Box 321, Granite Quarry, North Carolina covering 1964 Cadillac Tudor, serial 64G074473. Mr. Jones purchased this vehicle used from Charles Lindbergh Martin of Raleigh, North Carolina on December 17, 1964. North Carolina title 6551686A was mailed to lien holder, Farmers and Merchants Bank, Granite Quarry as they hold \$5868.00 chattel mortgage dated December 17, 1964.

Mr. Jones, the ledger card—

The CHAIRMAN. Let's ask him about that.

MR. JONES. I noticed when Mr. Appell was reading this letter from the most reliable authority we know to inquire from, namely the Motor Vehicle Bureau of North Carolina, you leaned to your counsel and smiled.

I ask you whether this letter is correct? I want to ask you another question after that.

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "James Jones Exhibit No. 19-A" and retained in committee files.)

(At this point Mr. Buchanan returned to the hearing room.)

The CHAIRMAN. We are giving you an opportunity to affirm or deny documentary evidence obtained in good faith and from most reliable sources. We did the same thing to Mr. Shelton yesterday and then he blabbered something to the press and TV about we were wrong in one instance or something.

Do you intend after leaving the stand, since you are smiling to your counsel, to say you caught us in one instance?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. By the way, Mr. Appell now tells me and refreshes my memory with reference to an item of \$2,135 which Mr. Shelton talked about outside the room, saying that our counsel knew all along that that was from an insurance policy from which he collected accident benefits, that nothing of the kind is in the record.

What Mr. Appell questioned Mr. Shelton about was very proper. In effect, Mr. Appell said to Mr. Shelton "I notice that there is an item, a deposit in your account, of \$2,135. What is the source of that money?"

Mr. Appell didn't say it was from any evil source. He just asked him a question.

Mr. APPELL. Mr. Jones, according to the ledger card maintained by the Farmers & Merchants Bank, Granite Quarry, North Carolina, relative to the 1964 Dodge, it shows that the first payment on this car in the amount of \$73.75 was made in May 1964.

The CHAIRMAN. You are talking about the Dodge?

Mr. APPELL. Yes, sir; the Dodge.

We asked you yesterday whether or not the tax which you received from Klaverns, and we exhibited to you at least one document to show that tax from Klaverns was placed into the bank account in the name of Mr. and Mrs. James R. Jones, was not payments for this 1964 Dodge made from this account into which tax from Klaverns was received?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Ledger sheet marked "James Jones Exhibit No. 19-B" appear on pp. 1750, 1751.)

(At this point Mr. Weltner left the hearing room.)

Mr. APPELL. I hand you six checks totaling \$442.50.

Mr. Jones, an analysis of the account shows—

The CHAIRMAN. You showed him six checks. Ask him a question.

Mr. APPELL. Do these checks properly reflect, as they state on their face, payments from your account to the Farmers & Merchants Bank in the amount of \$73.75? That is from the account to which the Klan tax is deposited.

The CHAIRMAN. It is a Klan account?

Mr. APPELL. But it is in the name of Mr. and Mrs. James R. Jones.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

1750

ACTIVITIES OF KU KLUX KLAN IN THE U.S.

JAMES JONES EXHIBIT NO. 19-B

James Robertson Jones

A

CODE 5033
DATE OF BIRTH 10-20-66

4-24-64 \$2212.50

Box 321, Granite Quarry, N. C.

10-20-66

1964 Dodge

	BAL. FORTH	BAL. AFTER PAYMENT	DATE	PAYMENTS MADE			NO.
				ACCOUNT NO.	AMOUNT	LATE CHGE.	
		2,212.50					1
MAY 20'64	73.75	2,138.75	MAY 19'64	5,033	73.75		2
JUN 20'64	73.75	2,065.00	JUN 15'64	5,033	73.75		3
JUL 20'64	73.75	1,991.25	JUL 17'64	5,033	73.75		4
AUG 20'64	73.75	1,917.50	AUG 17'64	5,033	73.75		5
SEP 20'64	73.75	1,843.75	SEP 22'64	5,033	73.75		6
OCT 20'64	73.75	1,770.00	OCT 28'64	5,033	73.75		7
NOV 20'64	73.75	1,696.25	NOV 31'64	5,033	73.75		8
DEC 20'64	73.75	1,622.50	NOV 31'64	5,033	73.75		9
JAN 20'65	73.75	1,548.75					10
FEB 20'65	73.75	1,475.00	JAN 16'65	5,033	147.50		11
MAR 20'65	73.75	1,401.25	MAR 13'65	5,033	73.75		12
APR 20'65	73.75	1,327.50	APR 22'65	5,033	73.75		13
MAY 20'65	73.75	1,253.75	MAY 26'65	5,033	73.75		14
JUN 20'65	73.75	1,180.00	JUN 26'65	5,033	73.75		15
JUL 20'65	73.75	1,106.25	JUL 20'65	5,033	73.75		16
AUG 20'65	73.75	1,032.50	AUG 25'65	5,033	73.75		17
SEP 20'65	73.75	958.75	SEP 30'65	5,033	73.75		18
OCT 20'65	73.75	885.00					

73.75 811.25

INSTALLMENT
LOAN LEDGER

CAT. NO. 7117-NP

JAMES JONES EXHIBIT No. 19-B—Continued

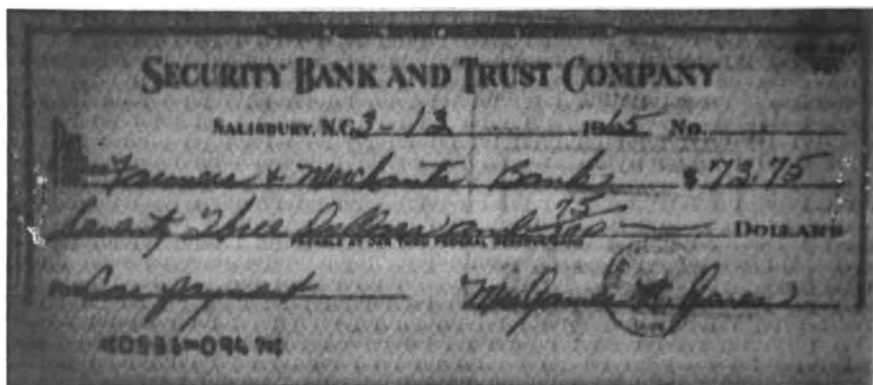
REMARKS

B

PAYMENT SCHEDULE			BAL. AFTER PAYMENT	PAYMENTS MADE				NO.
DATE DUE	MEMO	AMOUNT DUE		DATE	ACCOUNT NO.	AMOUNT	PAID	
DEC 20'66		73.75	737.50					1
JAN 20'66		73.75	663.75					2
FEB 20'66		73.75	590.00					3
MAR 20'66		73.75	516.25					4
APR 20'66		73.75	442.50					5
MAY 20'66		73.75	368.75					6
JUN 20'66		73.75	295.00					7
JUL 20'66		73.75	221.25					8
AUG 20'66		73.75	147.50					9
SEP 20'66		73.75	73.75					10
OCT 20'66		73.75	.00					11
NOV 20'66		73.75	73.75					12
								13
								14
								15
								16
								17
								18
								19
								20
								21
								22
								23
								24
								25
								26
								27
								28
								29
								30

(Documents marked "James Jones Exhibit No. 20." One of said checks follows; balance retained in committee files.)

JAMES JONES EXHIBIT No. 20



The CHAIRMAN. In other words, as I follow the questioning, the point is that Klan dues money was used to pay on the account of that Dodge?

Mr. APPELL. Yes, sir.

The CHAIRMAN. Is that correct, Mr. Jones?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. If you used Klan money to pay that, that would be just as much income to you as anything else, reportable on your income tax return. That is why I asked the question.

Mr. JONES. I respectfully—

The CHAIRMAN. I didn't ask another question.

Mr. APPELL. Mr. Jones, an analysis of the account of Mr. and Mrs. James R. Jones, together with the UKA account at the Farmers & Merchants Bank and the Wachovia Bank in Salisbury, failed to reflect payments by check, many payments by check, made on this automobile.

Did you on any occasion use cash which you received in your position as Grand Dragon to make some of these payments?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Jones, are you—

The CHAIRMAN. I should have asked and I now ask about the checks exhibited, having been proved to come from Klan sources, did the membership authorize you to use that Klan money?

Mr. JONES. I respectfully decline to answer the question based on grounds previously stated.

Mr. APPELL. Mr. Jones, has the governing body of the State of North Carolina ever fixed for you a salary in your position as Grand Dragon?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Now, Mr. Jones, I might as well ask you this question: Do you honestly believe that your answer to this last question and to all other questions previously asked might tend to incriminate you?

Mr. JONES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. The right to invoke the privilege of the fifth amendment is based on an honest fear of self-incrimination or criminal prosecution.

Now I think also in fairness to you I should point out this, but first I will ask a question.

Do you intend, after you leave this stand, to issue a statement explaining and answering some of these very questions we are talking about, that we have asked you?

Mr. JONES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I do hope you honestly so believe because, having invoked the fifth amendment on all of these questions, if you do speak out and answer some of them, or perhaps question the veracity or integrity of some of these questions, that would pretty well destroy your honesty in the invocation and might result, and will result, I think, as we consider it, in our questioning Mr. Shelton when he returns about what he did say outside, after he had the opportunity to answer questions.

I am not in the least questioning your right to make any statement you want to make. I am talking about evidence before this committee. I am testing your honesty in the invocation. That is all.

Any statement you wish to make outside this room, go to it. But I do admonish you of the situation it places you in.

Proceed.

Mr. APPELL. Mr. Jones, section 4 of the attachment to your subpoena which was made a part of the subpoena, called upon you to produce certain books and records relating to an insurance contract between the Capital City Restoration Association and the International Life and Accident Insurance Company.

What is the Capital City Restoration Association?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that it is a cover name of a Klavern of the United Klans of America?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Jones, I hand you a series of checks, some made payable to cash, some made payable to the United Klans of America, and some made payable to James R. Jones, and I ask you if it isn't a fact that these checks reflect that the payments were for the stated

purpose for which drawn, tax, and if the imprint of the check doesn't show the Capital City Restoration Association and if this does not establish the fact that it is a cover for a Klan unit?

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Documents marked "James Jones Exhibit No. 21" and retained in committee files.)

Mr. APPZEL. I show you another group of checks written by the Capital City Restoration Association, and invite your specific attention to the first one, dated October 26, 1964, in the amount of \$16.75, made payable to the Alabama Rescue Service, and invite your attention to the purpose for which drawn, which is set forth on this check as "Imperial Tax."

I ask you if this does not establish that this is a cover for a Klan unit?

(Documents handed to witness.)

(Witness confers with counsel.)

The CHAIRMAN. What do you mean by cover? A front?

Mr. APPZEL. A front.

The CHAIRMAN. In other words, the invisibility beyond the invisible.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Documents marked "James Jones Exhibit No. 22." Check of October 26, 1964, follows: balance retained in committee files.)

JAMES JONES EXHIBIT No. 22



Mr. APPZEL. Dealing further with the Capital City Restoration Association, did the Klan, using the Capital City Restoration Association, enter into a contract with the International Life and Accident Insurance Company to write medical policies, hospital and medical policies, for Klansmen throughout the State of North Carolina?

(At this point Mr. Weltner returned to the hearing room.)

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Mr. Jones, I don't want the question to imply the illegality, per se, of an insurance plan within an organization.

We simply want the facts and what the insurance plan is, whether it is an entity, who is deriving the profits and so on. That is the purpose of the question.

Mr. APPELL. Mr. Jones, at the time this plan was being sold to the Klansmen throughout North Carolina, was it held out by you and others that the premium paid on the first, the first month's premium, would be used in part to pay your expenses traveling throughout the State, and that a portion of this would be returned to the Klavern for its expenses?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Chairman, I have a letter which says at the top, "TO BE READ ON ALL KLAVERN HALL FLOORS":

TO ALL KLANSMEN:

As you know we have a group hospital plan for Klansmen of North Carolina. This is a first, for it is practically impossible to get a company to recognize our group and give us this VAST coverage at the price we are paying. On April 6, 1965 (for one week) we paid out a total of \$1,400.25 for claims to our Brother Klansmen.

I would like to interrupt the reading right here, Mr. Jones, and ask you isn't it a fact that you did not pay out that amount of money during that week, and that you knew it?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. [Continues reading:]

The total paid out so far, since the beginning of this Group Policy, is a tremendous sum. This money has gone to help our Klansmen who, if they did NOT have this plan, would have had to pay the hospital bills themselves. In order to keep this program as it is, we must hold it in line with claims. Therefore we must have immediately 400 NEW applicants to add to this group in the next two weeks. We must also keep the ones that have already participated in this plan, so be sure to keep yours paid.

We are sorry to say we have only about 250 in this plan out of our whole North Carolina Group. Of the original 250, only 111 are paying.

Mr. Chairman, I will skip rather than read the whole thing and conclude with:

Enclosed is information sheets.

Kilgrapp: Get the names from your unit and send to me of the ones that do not have it now, but will take it now.

Send reply on Hospital Insurance to; P.O. Box 9183, Raleigh, North Carolina.
Yours for God and Country.

/s/ James R. Jones,
JAMES R. JONES, *Grand Dragon*
North Carolina U.K.A.

P.S. We must build this group to 500 paying members. Help us save this plan.

The CHAIRMAN. Mr. Jones, at this point I ask you this question: A number of documents have been offered in evidence, signed by yourself, calling yourself the Grand Dragon of North Carolina. Are you the Grand Dragon of North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. The accompanying document, Mr. Chairman, is headed "An Insurance Program Designed For Capital City Restoration Association And Affiliated Groups In North Carolina."

I hand you these, Mr. Jones, to ask whether this is a copy of a document that you sent out, together with the enclosure?

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Documents marked "James Jones Exhibit No. 23" follow:)

JAMES JONES EXHIBIT No. 23

TO BE READ ON ALL KLAVERN HALL FLOORS

TO ALL KLANSMEN:

As you know we have a group hospital plan for Klansmen of North Carolina. This is a first, for it is practically impossible to get a company to recognize our group and give us this VAST coverage at the price we are paying. On April 6, 1965 (for one week) we paid out a total of \$1,400.25 for claims to our Brother Klansmen. The total paid out so far, since the beginning of this Group Policy, is a tremendous sum. This money has gone to help our Klansmen who, if they did NOT have this plan, would have had to pay the hospital bills themselves. In order to keep this program as it is, we must hold it in line with claims. Therefore we must have immediately 400 NEW applicants to add to this group in the next two weeks. We must also keep the ones that have already participated in this plan, so be sure to keep yours paid.

We are sorry to say we have only about 250 in this plan out of our whole North Carolina Group. Of the original 250, only 111 are paying.

Since we pay in to a Company LESS than we receive, you can readily see the position we find ourselves in.

I could not get any hospital insurance before we got this through and so were a lot of other Klansmen in the same boat with me. Now that we have this, and see the benefit it has already been to our local units, are we going to continue to support people that do not support us or are we going to join this hospital plan and HELP people that helps us.

Our North Carolina Group is growing by leaps and bounds and with it we must help keep the ONE COMPANY that is on our side to stay with us.

Some few of our units have joined with a majority of the unit and some DO NOT have a SINGLE ONE from their unit in this Hospital Plan.

It is most urgent and important, that we take this under advisement and support this group plan NOW by getting your unit covered.

I went out on a limb from the first by promising this company 1000 members and this certainly would not be but a small percentage of our number of Klansmen. As you can see NO ONE will support us unless we support them.

Klansmen, are we going to lose this group plan or are we going to support and keep a White Man's Company behind us?

This plan will pay even if you have another plan that pays also.

Enclosed is information sheets.

Kligrapp: Get the names from your unit and send to me of the ones that do not have it now, but will take it now.

Send reply on Hospital Insurance to: P.O. Box 9183, Raleigh, North Carolina.

Yours for God and Country

James R. Jones

JAMES R. JONES, *Grand Dragon*,

North Carolina U.K.A.

P.S.—We must build this group to 500 paying members. Help us save this plan.

AN INSURANCE PROGRAM

DESIGNED FOR

CAPITAL CITY RESTORATION ASSOCIATION AND AFFILIATED GROUPS IN
NORTH CAROLINA

MEMBERSHIP IN ANY OF THESE ORGANIZATIONS ENTITLES YOU TO THE FOLLOWING
ADVANTAGES UNDER THIS SPECIAL HEALTH INSURANCE PROGRAM

1. Reduced premium rates.
2. Pre-existing health conditions covered immediately 30 days from issue date.
3. No waiting periods (except maternity—10 months).
4. No reduction in benefits if you have other insurance.
5. Good anywhere in the world.
6. Mental and nervous disorders are covered.
7. A grace period of 31 days allowed for paying renewal premiums.
8. Surgical benefits paid in or out of hospital.
9. First aid benefit paid when treatment is rendered in hospital or at the doctor's office.
10. Any member leaving group will be allowed to continue same policy by paying future premiums quarterly, semiannually, or annually.
11. Dependent children will be deleted as a result of marriage or attaining the age of 18 years, but at such time they will be permitted to convert to an individual plan with the same rates as the group and by paying premiums as outlined in number 10.

BENEFITS PROVIDED UNDER THIS PLAN ARE AS FOLLOWS

Hospital room & board.—\$12.00 per day up to 9 days for each accident or sickness. No Limit to Number of Times Used Each Year.

Hospital extras.—Up to \$120.00 for each sickness or accident—includes charges for operating room, drugs, dressings, laboratory, X-rays, etc.

Surgical fees.—\$250.00 schedule of allowances included in policy.

Maternity.—\$120.00 hospital charges allowance—plus \$50.00 delivery fee for normal birth; \$100.00 caesarean section; \$25.00 miscarriage.

First aid benefit.—Up to \$36.00 for treatment of injuries within 24 hours, after accident, if not covered under any other part of policy. Treatment can be rendered in hospital or doctor's office.

MONTHLY PREMIUM RATES, AGE GROUPS 16 TO 59

Family.—\$14.50 (includes all unmarried children under eighteen years of age).

Husband and wife only.—\$9.65.

Male only.—\$3.55.

Female only.—\$5.25 (excludes maternity).

Male or female ages 60 to 69.—6.10.

Proposal Prepared and Submitted by M. R. Kornegay.

The CHAIRMAN. Mr. Jones, I said awhile ago that insurance programs, benefits, by many organizations are duly recorded as completely legal and certainly in vogue and certainly exercised. Most of them, so far as I know, have very noble causes. Here is an opportunity really to talk about this program. Especially, you have an opportunity to say that, as the document you sign states, you are making no profits.

Didn't that passage in there say that no profits were made, Mr. Appell?

Mr. APPELL. I didn't read that part.

The CHAIRMAN. I misunderstood you, then. There was a general statement at the very beginning.

Is it in there?

Mr. APPELL. I don't see it, sir.

The CHAIRMAN. I thought you indicated that it said something about "We don't take in more than we disburse" or something.

Mr. APPELL. What it said was "we must hold it in line with the claims. Therefore we must have immediately 400 NEW applicants * * *"

The CHAIRMAN. Before that.

Mr. APPELL. "This money has gone to help our Klansmen who, if they did NOT have this plan, would have had to pay the hospital bills themselves."

The CHAIRMAN. Before that.

Mr. APPELL. I will start from the first:

This is a first, for it is practically impossible to get a company to recognize our group and give us this VAST coverage at the price we are paying. On April 6, 1965 (for one week) we paid out a total of \$1,400.25 for claims to our Brother Klansmen. The total paid out so far—

The CHAIRMAN. Let's see the document.

Mr. APPELL. Yes, sir.

The CHAIRMAN. [Reading:]

This is a first, for it is practically impossible to get a company to recognize our group and give us this VAST coverage at the price we are paying.

Well, it didn't say what I thought it said.

But there is an opportunity, nevertheless, Mr. Jones, for you to say is this insurance plan self-sustaining only, or are profits made from it?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Proceed.

I was wrong. It did not say what I thought it said. I am glad I caught it.

Mr. APPELL. Mr. Jones, the committee has obtained from the Insurance Department of the State of North Carolina all of the applications executed by Klansmen under this program, and while the insurance coverage called for Capital City Restoration Association and affiliated groups, we have pulled from the entire number of applications some which relate to affiliated groups.

I wish to ask you as I name the affiliated group whether you, as the Grand Dragon of North Carolina, knew this affiliated group to be, like the Capital City Restoration Association, a unit of the Klan.

Harnett County Improvement Association, P.O. Box 48, Dunn, North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 24-A." See p. 1780.)

The CHAIRMAN. Isn't it a fact, Mr. Jones, that you have in the State of North Carolina as in all the States that I know of, large numbers of cover groups, front groups, such as gun clubs and others of that type, that are actually high-sounding names to use to camouflage, or as a matter of security, in the use of these names, when, in fact, they are Klan groups and Klaverns. Isn't that true?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. And I say our investigative work indicates that that is definitely true. Isn't it true?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Another of the affiliated groups listed on one of the applications for hospital-surgical coverage is the New Hanover Improvement Association, Inc., P.O. Box 1104, Wilmington, North Carolina.

Is this Improvement Association one of your Klan units?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "James Jones Exhibit No. 24-B." See p. 1781.)

Mr. APPELL. Within the New Hanover County Improvement Association, do you possess any knowledge as to whether or not, within its membership, there are law enforcement officers?

Mr. JONES. I respectfully decline to answer that question based on ground previously stated.

Mr. APPELL. A hospital-surgical coverage application also designates as an affiliated unit the Town & Country Sportsman Club, P.O. Box 244, Durham, North Carolina.

Is this Town & Country Sportsman Club a Klan unit?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 24-C." See p. 1782.)

Mr. APPELL. An additional application shows an affiliated group, Warrenton Improvement Association, Norlina, P.O. Box 156, North Carolina.

Do you know the Warrenton Improvement Association to be a Klan group unit?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 24-D." See p. 1783.)

Mr. APPELL. Another of the affiliated units, according to an application, is the Halifax County Sportsman Club, Box 611, Enfield, North Carolina.

Do you know it to be a Klan unit?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "James Jones Exhibit No. 24-E." See p. 1784.)

Mr. APPELL. Another application which lists an affiliated unit shows Kings Mountain, North Carolina, No. 55, P.O. Box 681, Kings Mountain, North Carolina.

Do you know Kings Mountain, North Carolina, No. 55, to be the numerical designation of a Klan unit in North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 24-F." See p. 1785.)

Mr. APPELL. Mr. Jones, this applicant is James D. Carter. Was James D. Carter a province titan within the Klan in North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. As a matter of fact, at a rally, didn't he come up to you and push his robes into your gut and tear up his membership card in front of your face?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Another affiliated unit is listed merely as Number 23.

I read it, Mr. Chairman, as Sanford, without the designation of the State, although the applicant lists his residence as Sanford, North Carolina.

Do you have a unit in North Carolina known as Unit Number 23?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 24-G." See p. 1786.)

Mr. APPELL. Another affiliated unit, Mr. Jones, is shown as Number 38, Goldsboro, North Carolina. Do you have a unit known as Number 38 in Goldsboro, North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 24-H." See p. 1787.)

Mr. APPELL. Another of the affiliated groups, according to the application, is the Limestone Fishing Club, P.O. Box 313, Beulaville, North Carolina. Is the Limestone Fishing Club a unit of the Klan in North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 24-I." See p. 1788.)

Mr. APPELL. The last of the affiliated units that we could find within the applications is the Keystone Club, 1069 Henderson, North Carolina. Is the Keystone Club known to you as an affiliated, as a Klan within the State of North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 24-J." See p. 1789.)

Mr. APPELL. Mr. Jones, was there an important meeting of the Klan held in Rockwell, North Carolina, on August 22, 1965?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Did you at this meeting make a financial report to the membership?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Did you report that the total taken in was approximately \$14,125 to date, and that you had paid out \$11,000, had a balance of \$3,125.18, and that some bills were outstanding and that the balance in the bank as of this date, which is August 22, 1965, was \$1,625.18?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 25" and retained in committee files.)

Mr. APPELL. Isn't it a fact, Mr. Jones, that during the period of time from the first of 1965 to the date of your report that you had

taken in \$21,974.22, disbursed \$15,111.77, and had a balance in the bank at that time of \$6,862.45?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Mr. Appell, are you asking the question as a fact which has been verified?

Mr. APPELL. Yes, sir.

The CHAIRMAN. And all of these questions have been verified by investigation?

Mr. APPELL. Yes, sir, by an analysis of the bank accounts. I would like to point out, Mr. Chairman, that the staff does not know whether this is all the money that has come in.

The CHAIRMAN. That was the question I was about to ask him.

Mr. Jones, Mr. Appell, following good and honest investigative practice, is questioning you from material subpoenaed from or received from the bank, a bank, which could be erroneous. You are being given an opportunity to verify or dispute these figures. I will ask you this question.

As of the date when, according to verifiable bank records, you had—

Mr. APPELL. He had received during the period from the first of 1965 to the period of his report \$21,974.22.

The CHAIRMAN. This is according to material received from the bank. In fact, as of that date, had you or had you not—I will put it two ways this time because I am talking about the facts developed—had you or had you not received more funds that you either had not put into the bank or kept for yourself? Is that all you had received and did you deposit it all in the bank?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Is it, or is it not, a fact that you have other accounts in other banks besides the one we are now talking about?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. WELTNER. Mr. Chairman, can Mr. Appell repeat the figures as contained in the report submitted?

Mr. APPELL. His report to the membership was the total taken in to date approximately \$14,125, and paid out approximately \$11,000.

Mr. WELTNER. That is all.

Mr. APPELL. Mr. Chairman, I would like to observe that the figure of \$21,974 brought in does not include \$4,969.90 which was paid toward the automobile, and I wish to also point out that an analysis of accounts of Klans or Klaverns shows that many checks payable to Mr. Jones, made payable to J. R. Jones, are never deposited in any bank account because the endorsements on the reverse thereof show that Mr. Jones has cashed these checks at places other than at his bank.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Jones, at approximately March 1st, or in the period within the first few days of March, was a State meeting of the Klan of North Carolina held?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. At this meeting—

The CHAIRMAN. What was the date of that?

Mr. APPELL. In the first few days of March 1965, sir.

At this meeting, were you nominated and elected——

The CHAIRMAN. "Were you or were you not."

Mr. APPELL. Were you or were you not elected——

The CHAIRMAN. If you know it to be a fact——

Mr. APPELL. Isn't it a fact that you were nominated and elected to your office of Grand Dragon without opposition?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that George Dorsett and Grady Mars were nominated to the office of treasurer and that Grady Mars was elected?

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Isn't it a fact that Jim Hackney, M. R. Kornegay, Reverend Woodle, were nominated for the office of klokard and that Mr. M. R. Kornegay was elected?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that there were nominated for the position of kludd or chaplain the Reverend Roy Woodle and Bill McCubbins and —— Morgan¹ and that Reverend Woodle was elected?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that when it came to the nomination for the office of grand kligrapp or secretary, that a motion was made, seconded, and carried to let you, as the Grand Dragon, appoint your own secretary?

Mr. JONES. I respectfully decline to answer that question on grounds previously stated.

The CHAIRMAN. Did you appoint your own secretary and, if so, who is the person?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that Fred Wilson was elected without opposition to the position of grand klabee?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that Bill Brown, Robert Reaves, and Jack Murray, Jr., were nominated to the position of grand kladd and that Robert Reaves was elected?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that Albert Outlaw, Wayne Rivers, and J. T. Shepard were nominated for the position of klarogo, with Albert Outlaw being elected?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that Joe Norman, Clarence Brindle, and Ray Tripp were nominated for the position of klexter, with Clarence Brindle elected?

¹ First name unknown.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't a fact that Boyd Hamby was elected without opposition to the position of grand night-hawk?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Isn't it a fact that it was announced at that meeting that the constitution and bylaws of the United Klans of America, Inc., were being changed so that they would provide that all imperial and grand officers are elected for a period of 2 years?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. What was it before?

Mr. APPELL. It staggered, Mr. Chairman, with the Imperial Wizard being 3 years, with the Imperial Klabeer being 2 years, the Imperial Kligrapp being 2 years, and certain other officers only for a period of 1 year.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Jones, preceding this election, I ask you if it is a fact if at one time Woody Goodwin, of Wilmington, North Carolina, was your Klaliff or vice president?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I ask you if it is a fact that Arthur C. Leonard, of Salisbury, North Carolina, was the grand klokard.

Mr. JONES. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. Did you ask if it was a fact?

Mr. APPELL. Yes, sir.

Is it or is it not a fact that Arthur C. Leonard was the grand klokard?

Mr. JONES. I respectfully decline to answer that question based on grounds previous stated.

Mr. APPELL. Is it not a fact that W. R. McCubbins, M-c-C-u-b-b-i-n-s, was grand kludd?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Prior to the election that I previously discussed with you, was it a fact that Charles Deese of Salisbury, North Carolina, was grand kligrapp or secretary?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Is it not a fact that Ray Terry, of Durham, North Carolina, prior to the election that we have discussed, was the grand kladd?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Is it not a fact that Buck Hoarse,¹ of Lexington, was at one time the grand inner guard?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

¹ Correct name Buck House.

Mr. APPELL. Is it not a fact that he was replaced on August 6, 1964, by M. R. Kornegay?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Is it not a fact that at one time Jim McLamb of Wilmington, North Carolina, was the grand outer guard under you as Grand Dragon?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Mr. Appell tells me that he cannot conclude with this witness before lunch, so the committee will stand in recess until 1:30.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan.)

(Whereupon, at 12 noon, Thursday, October 21, 1965, the subcommittee recessed, to reconvene at 1:30 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, OCTOBER 21, 1965

(The subcommittee reconvened at 1:45 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Weltner, Ashbrook, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

Call your witness, Mr. Appell.

Mr. APPELL. Mr. Chairman, I would like to recall to the stand Mr. James R. Jones.

The CHAIRMAN. Please proceed.

TESTIMONY OF JAMES ROBERTSON JONES—Resumed

Mr. APPELL. Mr. Jones, within the United Klans of America, is it the practice to issue official charters to Klans under cover names, such as improvement associations?

Mr. JONES. I respectfully decline to answer that question for reasons that I honestly feel my answer might tend to incriminate me, in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Jones, I put it to you as a fact, and ask you to affirm or deny the fact, that the United Klans of America did issue a formal charter in the name of the Craven County Improvement Association, New Bern, North Carolina, Klan No. 33.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I hand you a copy of that charter and ask you if it is not a fact, and ask you to affirm or deny it, if it is not a fact that your name appears as the Grand Dragon, and Mr. Robert M. Shelton's name appears, Mr. W. O. Perkins' name appears there, but appears to have been signed for him by someone having the initials "C L" and that it was accepted for that Klavern by Raymond D. Mills.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 26" follows:)

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 27" and retained in committee files.)

Mr. APPELL. Mr. Jones, I put it to you as a fact, and ask you to affirm or deny it, that there was created the New Bern and Blounts Creek Fund, Grady B. Mars or James R. Jones, Arcola Rural Station, Warrenton, North Carolina, for the purpose of raising funds for the defense of Raymond Mills.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. I will ask Mr. Appell, as I am not sure, but did you establish that Mr. Mills pleaded guilty? Did you ask him that? Did you put that to him as a fact and ask him to affirm or deny that fact?

Mr. APPELL. I do not remember, sir, so I will.

Did Raymond Mills, in the course of the trial, change his plea from not guilty to guilty of the crimes for which he was indicted?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. It is more than that. I put it to you as a fact that the court records show that he did plead guilty. I ask you to affirm or deny that fact.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I put it to you as a fact, Mr. Jones, and ask you to affirm or deny the fact, that the total amount deposited into that account was \$645.16.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny that fact, that as far as loans or advances of money in behalf of Mills, that on May 3, 1965, a check was drawn against this account in the amount of \$260, signed by Grady B. Mars, which check contained a notation "90 day note, Lonnie R. Mills, Rt. 2, Vanceboro, N.C."

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 28" follows:)

JAMES JONES EXHIBIT NO. 28



The CHAIRMAN. What was the total amount collected for that defense fund, Mr. Appell?

Mr. APPELL. \$645.16.

The CHAIRMAN. Understand the situation, Mr. Jones. As I understand it, the campaign went on to collect this amount of money to defend Mr. Mills, and the account shows, I believe—what?

Mr. APPELL. There was deposited \$645.16. As for withdrawals from the account, Mr. Chairman, there was a check in the amount of \$57 which was a debit to the account because the check submitted was "insufficient funds." There was a check written, as I described in the record, and the third check that was written against the account was a cashier's check which was used to close the account, and the maker of that check was Grady B. Mars.

Mr. WELTNER. Would counsel identify Grady Mars from the trial records that have been offered into evidence?

Mr. APPELL. Grady B. Mars, according to the record, Mr. Weltner, is the Klaliff or vice president, of the Realm of North Carolina. Incidentally, he is a paid worker or organizer at the rate of \$150 per week.

The CHAIRMAN. How much was there deposited, Mr. Appell?

Mr. APPELL. There was a total deposit of \$645.16.

The CHAIRMAN. Give me the items of withdrawal.

Mr. APPELL. There was a debit of \$57 which constituted a check which bounced because of insufficient funds, and there were two withdrawals.

The CHAIRMAN. \$57 NSF?

Mr. APPELL. Yes. And a \$260 withdrawal which was marked as a 90-day loan to Lonnie Mills, and a check in the amount of \$328.16 which was used to close the account and to purchase a cashier's check, the disposition of which we have no knowledge.

The CHAIRMAN. Now, Mr. Jones, I am asking you—I am not putting it to you as a fact, because I don't know the fact—whether this cashier's check was used by Grady Mars to remit to Mr. Mills, as part of his legal defense.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Now, I do put it to you as a fact, and I ask you to deny or affirm that fact, that instead of giving the \$260 to Mr. Mills for his defense, you loaned him the money.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. I put it to you as a fact, and ask you to affirm or deny the fact, coming to us from our investigation, that many fund-raising campaigns for legal defense, in many areas—I am not sure about the particular areas within your jurisdiction—while the funds were raised for defense, the poor defendants never got a nickel out of them. Has that occurred within your realm?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Jones, after the arrest of Raymond Mills, what investigation did your organization conduct for the purpose of deter-

mining the guilt or innocence of Mr. Mills as it involved membership in your organization?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. On March 1, 1965, at the same meeting at which you made a report on finances, did you make a report that Mr. Raymond Mills had been suspended for his own protection and state further, "Let me make it clear 'he has not been banished' and all units are asked to help financially."

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. I put it to you as a fact, and ask you to affirm or deny the fact, that while your organization and others generally pretend to have rules and regulations and procedures to expel members who commit violence, and you pretend to be against violence, you have never expelled a member known to you to have committed acts of violence.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Chairman, I should like the record to show that the charter document which was exhibited to Mr. Jones was presented to the committee as a result of a subpoena duces tecum served upon Raymond Mills, who appeared before the committee in executive session on August 24, 1965.

The CHAIRMAN. And a transcript of that charter will appear in the record at the point it was commented on.

Mr. APPELL. Yes, sir.

Mr. JONES. Mr. Mills also submitted to us, in accordance with the subpoena, rough notes of minutes of Klavern meetings, the Craven County Improvement Association.

The CHAIRMAN. And that was done pursuant to a subpoena?

Mr. APPELL. Yes, sir.

There is an entry of a meeting in August which reports that 20 members were present. The "opening ceremony [sic] was carried out. The first business was to naturalize 3 new members, #100 #75 #77. It was an impressive ceremony [sic]," read the notes.

"The E.C. gave first part of Oath The Vice President gave the second and third parts. #15 explained"—it looks like it should read, Mr. Chairman, "that the" but it reads "the the"—

The CHAIRMAN. Start the sentence again.

Mr. APPELL. [Reading:]

The E.C. gave first part of Oath The Vice President gave the second and third parts. #15 explained the [sic] the person who owned the building was pressing for us to buy it.

The Klokian brought up new members We also decide to burn 3 cross [sic] one at Oscar Funerl [sic] Home, one on Brices Creek Road, and one in Pamlico County. The meeting was then adjourned [sic]. The Klexter built the cross for us.

Mr. Jones, I put it to you as a fact, and ask you to affirm or deny the fact, that there was a cross burned in front of the Oscar Funeral Home on either October 17 or 18, 1964.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I ask for a correction of the record, Mr. Chairman. The date should be August 17th or August 18th.

Does that change your answer in any way, Mr. Jones?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 29" follows:)

JAMES JONES EXHIBIT NO. 29

Aug 17 64 20 minutes
Opening Ceremony was carried out. The first business was to Natashige 3 new members. \$ 100. \$ 75 \$ 77. to us an impressive ceremony.

The E.C. gave first part of both the King Priests gave the second and third parts. \$ 15 explained who the person who owned the building was paying for us to buy it.

The Klansman brought up new members. We also made to burn 3 crosses one at Queen Beulah Home, one on Brice Creek Road, and one in Louisa County. The meeting was also adjourned. The Klansman built the cross for us.

Mr. APPELL. Mr. Jones, what investigation do you make when there are crosses burned to determine whether or not your Klansmen burn these crosses?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that at 10 p.m. on 28 May 1965 a cross was burned at the

Elizabethtown, North Carolina, Courthouse which is located in Bladen County; that on May 28, 1965, a cross was burned at Southport Courthouse, North Carolina, Brunswick County; in the same county, at Supply, 200 yards in front of the Jessie A. Bryant home on 24 May 1964; at Holden Beach, in front of a Negro revival tent, on the 19th or 20th of November 1964; in Burke County, North Carolina, at Valdese, in front of the yard of the Valdesian Presbyterian Church on 9 December 1964; in Columbus County, North Carolina, on the lawn of the Whiteville Courthouse on 28 May 1964.

Then in Craven County, one at the Oscar Funeral Home to which I have just referred.

The CHAIRMAN. What is the date?

Mr. APPELL. The date is August 17 or 18, Mr. Chairman.

In Edgecombe County, North Carolina, at Tarboro Post Office, on 28 May 1965; in Franklin County, North Carolina, on August 20, 1964, at Epsom, on dirt road in front of H. T. Rodwell residence, Rodwell being a member of the Franklin County NAACP Chapter; in Granville County on May 28, 1965, on the lawn of the courthouse in Granville; in Greene County, North Carolina, in June 1964, at Snow Hill, on Highway 258 bypass; in Halifax County, on September 3, 1964, in Enfield, two crosses burned in the Negro area of town; in Iredell County, North Carolina, on May 28, 1965, in front of the Statesville Senior High School; in Jones County, North Carolina, on May 6, 1965, one at Pollocksville and three at Trenton on the same date; also in May 1965; six crosses burned at Wise Fork and Haskins Crossroads communities; in Lenoir County, North Carolina, on April 20, 1965, in La Grange, at the home of Paul A. Barwick, a newspaper publisher; in New Hanover County, North Carolina, in Wilmington, on the 28th of May 1965, at the courthouse; in Pender County, North Carolina, on the 28th of May at Currie; also on May 28th at Wards Corner; also on May 28th at Burgaw; in Person County, at Roxboro City Hall, also on May 28th; in Robeson County, North Carolina, on February 24, 1965, outside of Lumberton, Highway 41, at the home of Carl Leaker, a retired barber; in Rowan County, North Carolina, on May 28, 1965, at the health center in Salisbury; in Stanly County on May 28th at Albemarle, Highway 52, inside the city limits; in Vance County, on May 28th, the lawn of the courthouse building; in Wake County, on August 14, 1965, on the lawn of the Governor's Mansion, then Governor Terry Sanford; on the 23rd of February 1965 in front of the Reverend Frank Hutchins' home, 1913 South East Street, Raleigh; in Wayne County, North Carolina, on October 16, 1964, on the front lawn of James Davis home, 905 North Virginia Street, Goldsboro; on January 8, 1965, on the front lawn of Geneva Hamilton, at 510 Bunch Drive, Goldsboro.

That concludes the listing, Mr. Jones, and I put it to you as a fact, and ask you to affirm or deny the fact, that these cross burnings did take place.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. What action did you take as Grand Dragon to determine how many of these cross burnings, if not all of them, were carried out by members of your organization, the United Klans of America?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Were any of your members suspended for engaging in any of the cross burnings in which these Klansmen participated?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Jones, in connection with a subpoena served upon the Suburban Printing Company, we received a copy of an invoice dated June 11, 1965, billed to the Ku Klux Klan, Box 321, see exhibit No. 31, Granite Quarry, North Carolina, Order No. 394, 200,000 copies of Negro Pepsi handbills, printed two sides, \$350.

I put it to you as a fact, and ask you to affirm or deny the fact, that you placed that order, sir.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 30" and retained in committee files.)

Mr. APPELL. I hand you a reproduction of a handbill which reads at the top "Below Picture of Negro Vice President Of Pepsi-Cola, At Left, And His White Wife, In Center. Let The Pepsi People Know What You Think Of Their Vice President And His White Wife."

Isn't this a copy of that which was printed by the Suburban Printing Company?

I put it to you as a fact, and ask you to affirm or deny the fact, that it is a copy.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 31" appears on p. 1772.)

Mr. APPELL. Before issuing that document, did you make an investigation to determine who the wife of the Negro vice president of Pepsi-Cola, Harvey Russell, was?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that she was the daughter of Colonel Franklin A. Dennison, who was the first Negro raised to field grade rank in World War I, and who died in the early 1920's holding the rank of a brigadier general in the United States Army.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Who was he?

Mr. APPELL. The first Negro field grade officer in the United States Army.

I put it to you as a fact, and ask you to affirm or deny the fact, that the Pepsi-Cola Company came to you personally and advised you of the fact, and that you did nothing to stop the circulation of that leaflet.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. I put it to you as a fact, and ask you to affirm or deny the fact, that the wife of Harvey Russell, who is a Negro, did

**Below Picture of Negro Vice
President Of Pepsi-Cola,
At Left, And His White Wife,
In Center**



Pepsi Cola vice president negro Harvey Russell and wife Jackie give citation to one of company's salesmen, Bob Logan (right).

**Let The Pepsi People Know What
You Think Of Their Vice President
And His White Wife**

not pretend to be anything but what she is, the daughter of a Negro general.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Jones, I hand you a copy of application for citizens band radio license, executed by James R. Jones, applied for in

January 1962. I ask you whether or not your citizens band radio was ever used to carry out activities on the part of the Klan?

(At this point Representative Pool entered the hearing room.)

Mr. Jones. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 32" follows:)

JAMES JONES EXHIBIT No. 32

REC Form 385
September, 1959

Printed Approved
Design Bureau No. 52-8222-4

CITIZENS RADIO LICENSE

This authorization permits the use only of transmitters which: (1) Are listed under Special Conditions below, (2) appear in the Commission's "Radio Equipment List, Part C", or (3) in the case of Class C or Class D stations, are crystal controlled.

Class D
Class 2

Rowan County, N.C.

James R. Jones
Box 321 Granite Quarry, N.C.

407 17-1063
17 1967

Replaces & supercedes any previous authorization of this class for the same radio system or group of transmitters.

By direction of the FEDERAL COMMUNICATIONS COMMISSION
R. A. Waples

FOLD HERE

FOR COMMISSION USE ONLY

XXXXXX

James R. Jones

JAMES JONES EXHIBIT No. 32—Continued

Form 100
4-61UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.Form Approved
Budget Bureau No. 52-R169

ATTACHMENT TO RESUBMITTED APPLICATION

INSTRUCTIONS TO APPLICANT: All pending to be all applications must be signed under oath or affirmation before a Notary Public or other official authorized to administer oaths. If you supply any additional information, or make any changes in the application form, you must sign and swear to it before a Notary Public or other official. This form is for your convenience. After you have made the corrections in the attached returned application, or if you wish, after you have supplied the information called for on the additional sheets of paper you may attach to the returned application form, sign and swear to the proper block below before a Notary who will fill in the remaining blanks.

The space below on the reverse side of this sheet may be used for any additional information required to correct the application.

I am an outside salesman dealing in home improvement materials. I would like the use of radio in order that my wife might receive calls at home by telephone from my office and customers and relay same to me.

I hereby certify that the information supplied on the attached form, or on this and on any additional sheets attached thereto is true and correct to the best of my knowledge and belief.

James R. Jones
APPLICANT (Must agree with names shown on the application.)

By _____
(Designate appropriate classification below)
☒ Individual Applicant
☐ Member of Applicant Partnership
☐ Officer of Applicant Corporation or Association
☐ Official of Governmental Entity

(Signature of Notary Public for affirmation),

Witnessed on this 7 day of April, 1962

Notary Public: Lowell M. Goodman (SEAL)
(a name and title of other person competent to administer oaths)

My commission expires November 25, 1962

Mr. APPELL. I show you the reproduction of a sticker which the committee investigation found posted around throughout several Southern States, which says "THE KNIGHTS OF THE KU KLUX KLAN IS WATCHING YOU."

Has that been issued in your jurisdiction and, if so, for the purpose of intimidating people with whom you disagree?

(Document handed to witness.)

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 33" and retained in committee files.)

Mr. APPELL. Mr. Jones, I put it to you as a fact, and ask you to affirm or deny the fact, that when you travel around North Carolina in your position as Grand Dragon, that you carry on your person, concealed in a shoulder holster, a .38 caliber snub-nose revolver, that you have a carbine strapped to the inside of the driver's door, and that you carry a .30-06 rifle in your trunk with a large supply of ammunition.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions of Mr. Jones.

The CHAIRMAN. Mr. Jones, the committee has established that in certain Klaverns, and I am not putting it to you as a fact that it is true in yours, but I am going to ask you if this or similar kinds of activities are engaged in—and the document I have is entitled "HARRASMENT" [sic]. And I can't read it all because it is very long, but I will come to pertinent activities of harassment.

It starts with this sentence "An Enemy's Army which has been harassed for a long time may be easily defeated," and that is a quotation from an old Sanskrit proverb. It says:

Each local unit must make a thorough study of the technique of harassing the enemy at little or no cost to themselves. All members should tax their minds to devise new means and methods of accomplishing this important work.

In general, harassing should always have a humorous twist to it and should be in the nature of Halloween Pranks. This does not mean that it should be executed in a careless or haphazard manner. It must be done seriously and soberly and with a definite aim in mind. The purpose of preserving the humorous twist to the work is to obscure the deadly seriousness behind the work—

and so on.

Besides asking the members to devise acts of harassment of their own, there is a list of 16 suggested:

1. [Using] Roofing nails
2. Sugar and Molasses [in tanks]
3. Firecrackers
4. Snakes and Lizards
5. Mad Dogs
6. Itching Powder
7. Stink Bombs
8. Tear Gas
9. Paint
10. Lacquer Thinner
11. Slingshots, Marbles, BB guns, Air Rifles, Bow and Arrow, cross bows
12. Blank cartridges and pistols
13. Roman Candles

14. Skyrockets
15. Salt and pepper
16. Noismakers [sic]

And then the document goes on to talk about other much more serious acts. But those are suggested acts of harassment, in addition to which there is the use of telephone calls, and so on.

I am asking you in all seriousness, and I give you the opportunity to affirm or deny, whether within your realm such acts of harassment leading to worse involvement—and we will come to that in these hearings—are employed within your realm?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

(Document marked "James Jones Exhibit No. 34." This exhibit will be reproduced in a forthcoming report on the Ku Klux Klan organizations.)

Mr. APPELL. Mr. Chairman, I have one more question.

Mr. Jones, at the public rallies that are held within North Carolina by the Klan, do you have a security detail or a security patrol which operates there, as well as a security patrol within the Realm of North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. At these rallies, do you deliberately harass the press and other people whom you invite to attend because of something—that their appearance might not look good or they might have a camera at a public rally that you invite them to, and you don't want them to take photographs?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Don't you even go so far as to shake these people down, search their cars, and do all the other things that law enforcement authorities could never do under the Constitution?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. I have no further questions, Mr. Chairman.

The CHAIRMAN. I think I only have one question, a general one.

Mr. Jones, it appears that you only have had a grammar school education, and for which I don't reproach you in the least, and from the evidence have had barely any employment at all for the past few years.

Then all of a sudden it would appear you became a Grand Dragon and have the use of a Cadillac, another vehicle, and frankly—if I am wrong, you can correct it—seem to be living rather high on the hog.

My question is this, and it is an important question in the inquiry, I assure you: Are you typical of the type of people in leadership, such as Grand Dragons, in Shelton's United Klans of America, Inc.?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. That is all I have.

Mr. WELTNER. Mr. Chairman, I have one matter that I should like to present and that is the following: We have heard of the indications presented by Mr. Appell as to the Klan's abhorrence of acts of violence and the efforts the Klan employs to prevent members from engaging

in acts of violence. As portion of that posture on the part of the Klan we learn of the supposed ejection, banishment, or suspension of Raymond D. Mills who pleaded guilty to bombing cars in New Bern, North Carolina, Mills being the then exalted cyclops of the Craven County Improvement Association, I believe that Klavern was called.

I know that Mr. Mills on June 3, 1965, pleaded guilty to that offense, and I further know that that should be fairly plain evidence of an act of violence on the part of a Klan member. If that were the case, then surely if the North Carolina Realm undertook to banish members who committed acts of violence, then he would be banished.

Bear in mind, that is June 3, 1965. On August 24, 1965, several months later, in executive testimony before our committee——

The CHAIRMAN. May I say that that executive testimony has, by a vote of the committee, been released for our use. Under our rules, executive evidence must remain so except by a vote of the committee. Because of the necessity to use this evidence, the committee, by formal action, did release it.

Mr. WELTNER. Thank you, Mr. Chairman.

Mr. Mills stated at that executive session, reading from the transcript at page 340:

Let me say this to clarify one thing, Mr. Willis. I don't know of any FBI being into the organization. They may have men into our organization, but let me say this: We have men in organizations, also.

The entire statement plainly indicates and affirms that Mr. Mills, notwithstanding his conviction several months prior to August 24, still under oath acknowledged his membership in the Realm of North Carolina, United Klans of America.

I should like to pose this question to the witness, to ask whether or not Mr. Mills has been banished, or whether or not his membership in the Realm of North Carolina, or in the United Klans of America has been terminated?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. WELTNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Mr. Buchanan.

Mr. BUCHANAN. Thank you, Mr. Chairman.

Mr. Jones, I assume, if I understand the structure of your organization, that Mr. Robert M. Shelton, the Imperial Wizard, is your leader. Consequently, I wonder, given the very interesting evidence presented at this hearing as to the financial activities of Mr. Shelton, given the evidence presented yesterday and today about your handling of the funds of your North Carolina organization—I wonder if you received any instructions in the handling of funds of your organization from the Inferior Lizard—I mean the Imperial Wizard—Mr. Robert M. Shelton.

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. BUCHANAN. No further questions, Mr. Chairman.

Mr. SENNER. Mr. Jones, is the corporation the United Klans of America, Inc., Knights of the Ku Klux Klan, authorized to do business in the State of North Carolina?

Mr. JONES. I respectfully decline to answer that question based on grounds previously indicated.

Mr. SENNER. Is it a foreign corporation?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. SENNER. I noticed in your 1965 North Carolina Initiation Franchise Tax Report, you are a foreign corporation, the name of the corporation being Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., and you are listed as president, signed James R. Jones, Grand Dragon, North Carolina.

You list your assets as none, capital stock as none, your total receipts as none, the total tangible property in North Carolina as none, your net worth none, and your liabilities none. Apparently you pay a minimum of tax to do business in that State of \$10. Is this correct?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. SENNER. Isn't it a fact that you are violating the laws of the State of North Carolina in the conducting of business in that State in the manner in which Mr. Appell has related these events?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. SENNER. Mr. Chairman, I have no further questions.

Mr. POOL. I have a question, Mr. Chairman.

The CHAIRMAN. Mr. Pool.

Mr. POOL. During the testimony, I believe we had some testimony about the purchase of white satin cloth. Do you have a cloak that you have made out of this white satin cloth?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. POOL. In other words, you prefer to be swathed in the fifth amendment; is that it?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Mr. Jones, a moment ago I read a list of suggested forms of harassments with an appeal to members to devise some of their own.

I didn't say, because I don't know, honestly, whether those are the types of harassments that you approve and tolerate. Obviously, you tolerate and approve burning crosses. But you declined to answer.

I might say that the committee investigation discloses that in addition to the list of suggested acts of harassment, some of them devised by the members, there are such things as throwing dead rats in front of homes and in mail boxes, chickens with their necks cut off, and dead bugs.

I am not saying you engage in that, but I am asking you whether you engage in that type of harassment within your realm, in addition to cross-burnings, which have been established?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Finally, and this will be my last question, Mr. Shelton is Imperial Wizard of the United Klans of America, and you are one of his Dragons, according to our established evidence. I take it that the Grand Dragons under Shelton in the various realms in various States constitute some sort of a board of directors or board of advisors to the Imperial Wizard.

I want to ask you this question, because it is very important: Did you know, did Shelton advise you, and did he obtain the consent of the Grand Dragons throughout his whole larger realm, that checks were being signed against the imperial account by a person allegedly known, a man allegedly known, as James J. Hendrix who turned out to be Mrs. Shelton and by a man allegedly known as T. M. Montgomery, who turned out to be Carol Long?

It is important to know the policy or who is advising with whom in these financial transactions. Did you know about that? Were you consulted? Did you give your consent?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

The CHAIRMAN. Mr. Ashbrook.

Mr. ASHBROOK. Mr. Chairman, I would like to ask the witness one question. The Goldsboro, North Carolina, *News-Argus*, of Sunday, August 15, 1965, carries a front page story with the caption headed "Klan Can Rule, [Dragon Declares]." Reporter John Rains, Mr. Jones, quotes you as, among other things, lashing out at "Negroes, jews, communists and 'white niggers,'" whatever that is, and that you said that, "the only way to fight communists and integrationists is by swinging election or 'with bullets.'"

This is a direct quote that is attributed to you by John Rains, reporter for this newspaper. I am wondering if you would, in light of your protestations of playing down violence, answer for this committee whether or not this is factual reporting of what you said at the Klan meeting in Goldsboro, North Carolina, on that date?

Mr. JONES. I respectfully decline to answer that question based on grounds previously stated.

Mr. ASHBROOK. No further questions, Mr. Chairman.

The CHAIRMAN. Mr. Appell, is that all?

Mr. APPELL. Yes, Mr. Chairman.

The CHAIRMAN. Mr. Jones, you are excused for the day, but you will be continued under subpoena until November 14.¹

Mr. ASHBROOK. Mr. Chairman, I would like to have this article made a part of the record, the one that I referred to.

The CHAIRMAN. Without objection, that will be done.

(Document marked "James Jones Exhibit No. 35" and retained in committee files.)

(James Jones Exhibit Nos. 24-A through 24-J, introduced on pp. 1758-1760, follow:)

¹ Mr. Jones was not recalled, and on December 29, 1965, was discharged from further appearance under his subpoena.

JAMES JONES EXHIBIT No. 24-A

HOSPITAL SURGICAL COVERAGE

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name C. B. Hedson Sex M Birth Aug 14, 1912 Age 42
 2. Address Rt. 1 City Corte State D.C.
 3. Height 5 Ft. 10 1/2 Ins. Weight 155 Lbs. Marital Status Married
 4. Occupation Carpenter 5. Employer Self

5. List Included family members.

	Name	Birth	Age	Wt. Ht.	Relation
(a)					
(b)					
(c)					
(d)					
(e)					
(f)					
(g)					

Signature of Applicant C. B. Hedson Date March 19, 1956Licensed Representative M. B. KneppsCarolina Insurance Agency Inc. Amount Prem. Paid \$3.55Unit Name Harris County Improvement Assn.Unit Address P.O. Box 48 - Quincy, D.C.Benefits: Daily Rate 12.00 Surgical 250.00 Prem. 3.55 ASDMode of Payment: ☒ H ☐ U ☐ SA ☐ A Circle One POL. NO. PR-110-1242
477-077-197 EFF. DATE 4-10-65

JAMES JONES EXHIBIT NO. 24-B

HOSPITAL SURGICAL COVERAGE

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name Hubert Osmond Elkins Sex m Birth 1911 Age 53
 2. Address 309 Breckenridge dr City Wilmington State nc
 3. Height 5 Ft. 10 $\frac{1}{2}$ Ins. Weight 146 Lbs. Marital Status m.
 4. Occupation Salesman 5. Employer Harris Pontiac

5. List Included Family members.

	Name	Birth	Age	Wt.	Ht.	Relation
(a)						
(b)						
(c)						
(d)						
(e)						
(f)						
(g)						

Signature of Applicant H.O. Elkins Date 3-11-65Licensed Representative M. R. KornegayCarolina Insurance Agency Inc. Amount Prem. Paid \$10.65Unit Name New Hanover Improvement Association Inc.Unit Address P.O. 1104 Wilmington, N.C.Benefits: Daily Rate 12.00 Surgical 250.00 Prem. 10.65 NMBMode of Payment: M (C) SA A Circle One POL. NO. FR-110-1263

479-079-197

EFF. DATE 4-10-65

THE UNIVERSITY OF MICHIGAN LIBRARIES

JAMES JONES EXHIBIT No. 24-C

HOSPITAL SURGICAL COVERAGE

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name James Woodrow Kernodle Sex M Birth Oct. 2 Age 27
 2. Address Rt. # 2, Box 416 City Durham State N.C.
 3. Height 5 Ft. 11 Ins. Weight 180 Lbs. Marital Status M
 4. Occupation clerk 5. Employer Golden Belt Mfg. Co.

5. List Included family members.

	Name	Birth	Age	Wt.	Ht.	Relation
(a)						
(b)						
(c)						
(d)						
(e)						
(f)						
(g)						

Signature of Applicant James W. Kernodle Date 2-16-65Licensed Representative M. L. KernegayCarolina Insurance Agency Inc. Amount Prem. Paid \$3.55Unit Name Town & Country Sportsman ClubUnit Address P.O. Box 244, Durham, N.C.Benefits: Daily Rate \$12.00 Surgical \$250.00 Prem. \$3.55 NMBMode of Payment: (H) J SA A Circle O POL. NO. EP-110-1243
479-079-199 EFF. DATE MAR 10 1965

JAMES JONES EXHIBIT No. 24-D

HOSPITAL SURGICAL COVERAGE

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name Linwood Earl Massey Sex M Birth Jan 13/14 Age 53
2. Address Rt. # 1-12 City WARRENTON State N.C.
3. Height 5 Ft. 10 Ins. Weight 165 Lbs. Marital Status Mar
4. Occupation SUAVORY 5. Employer STATE

5. List Included family members.

	Name	Birth	Age	Wt. Ht. Relation
(a)				
(b)				
(c)				
(d)				
(e)				
(f)				
(g)				

Signature of Applicant Linwood Earl Massey Date 1/15/65

Licensed Representative John A. Clark, Jr.

Carolina Insurance Agency Inc. Amount Prem. Paid 355

Unit Name Warrenton Improvement Association

Unit Address Norlina P.O. Box 158, N.C.

Benefits: Daily Rate 12.00 Surgical 250.00 Prem. 355

Mode of Payment: (4) J SA A Circle One NMS

479-079-²⁹⁰~~153~~

EFF: JAN 10 1965

FR-110-1145

JAMES JONES EXHIBIT NO. 24-E

HOSPITAL SURGICAL COVERAGE

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name Robert D. Mitchell, Jr. Sex M Birth 1-28-39 Age 25
 2. Address 413 E. 11th St. City Enfield State N.C.
 3. Height 5 Ft. 10 Ins. Weight 170 Lbs. Marital Status Single
 4. Occupation Merchant 5. Employer Self

5. List Included family members.

	Name	Birth	Age	Wt.	Ht.	Relation
(a)	<u>None</u>					
(b)						
(c)						
(d)						
(e)						
(f)						
(g)						

Signature of Applicant Robert D. Mitchell, Jr. Date 12-8-64

Licensed Representative M. R. Kershner

Carolina Insurance Agency Inc. Amount Prem. Paid 13.55

Unit Name Golden Laurel Association, Inc.

Unit Address Box 611, Enfield, N.C.

Benefits: Daily Rate \$10.00 Surgical \$250.00 Prem. 3.55

Mode of Payment: ☒ J ☐ SA ☐ A Circle One

479-094-197

EFF 12-10-64 FR-110-1042

JAMES JONES EXHIBIT No. 24-F

HOSPITAL SURGICAL COVERAGE

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name James D. Carter Sex M Birth 12-19-27 Age 37
2. Address P.O. Box 681 City Kings Mtn State NC
3. Height 5 Ft. 11 Ins. Weight 206 Lbs. Marital Status Married
4. Occupation Field Representative 5. Employer Commercial Mortgage and Finance Corp.
5. List included family members.
- | Name | Birth | Age | Wt. | Ht. | Relation |
|-----------------------------------|-----------------|-----------|------------|--------------|-----------------|
| (a) <u>Thelma E. Carter</u> | <u>12-22-30</u> | <u>34</u> | <u>140</u> | <u>5'10"</u> | <u>Wife</u> |
| (b) <u>Jesse G. Carter</u> | <u>9-18-48</u> | <u>16</u> | <u>125</u> | <u>5'6"</u> | <u>Son</u> |
| (c) <u>Danna Kay Carter</u> | <u>12-22-49</u> | <u>15</u> | <u>110</u> | <u>5'4"</u> | <u>Daughter</u> |
| (d) <u>Elizabeth Carol Carter</u> | <u>3-4-51</u> | <u>13</u> | <u>115</u> | <u>5'2"</u> | <u>Daughter</u> |
| (e) | | | | | |
| (f) | | | | | |
| (g) | | | | | |

Signature of Applicant James D. Carter Date 2-7-1965

Licensed Representative M. R. Kamegan

Carolina Insurance Agency, Inc. Amount Prem. Paid 14.50

Unit Name Kings Mountain, N.C. #55

Unit Address P.O. Box 681 Kings Mountain, N.C.

Benefits: Daily Rate \$12.00 Surgical \$250.00 Prem \$14.50

Mode of Payment: ☒ (M) ☐ Q ☐ SA ☐ A Circle ☐ OROL. NO. FR-110-1200

499-226-197 1216
 208 11 031 LT DATE 2-10-65

JAMES JONES EXHIBIT No. 24-G

HOSPITAL SURGICAL COVERAGL

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name Volten C. Freeman ^{FREEMAN} Sex M Birth 2-4-29 Age 35
2. Address PH 5 City Somerville State N.C.
3. Height 5 Ft. 9 Ins. Weight 185 Lbs. Marital Status Married
4. Occupation Bus. Man 5. Employer Self
5. List Included family members.
- | | Name | Birth | Age | Wt. | Ht. | Relation |
|-----|--------------------|-----------------|-----------|------------|-------------|-----------------|
| (a) | <u>Jessie</u> | <u>6-20-24</u> | <u>40</u> | <u>135</u> | <u>5'5"</u> | <u>Wife</u> |
| (b) | <u>Barbara Lee</u> | <u>8-31-48</u> | <u>16</u> | <u>115</u> | <u>5'5"</u> | <u>Daughter</u> |
| (c) | <u>Shirley Ann</u> | <u>12-19-49</u> | <u>14</u> | <u>115</u> | <u>5'5"</u> | <u>Daughter</u> |
| (d) | | | | | | |
| (e) | | | | | | |
| (f) | | | | | | |
| (g) | | | | | | |

Signature of Applicant Volten C. Freeman Date 12-14-64Licensed Representative C. A. D. L.Carolina Insurance Agency Inc. Amount Prem. Paid 14.50Unit Name #23Unit Address SomervilleBenefits: Daily Rate 12.00 Surgical 250.00 Prem. 14.50Mode of Payment: ☒ M ☐ Q ☐ SA ☐ A Circle One

499-079-197 EFF JAN 10 1965

FR-110-1125

JAMES JONES EXHIBIT No. 24-H

HOSPITAL SURGICAL COVERAGE

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name Cennie M. Clanton Sex F Birth 6-2-34 Age 35
 2. Address Rt 4 Box 115 City Delaware State NC
 3. Height 6 Ft. Ins. Weight 170 Lbs. Marital Status Married
 4. Occupation Domestic 5. Employer
 5. List Included Family members.
- | | Name | Birth | Age | Wt. | Ht. | Relation |
|-----|----------------|----------------|-----------|------------|-------------|-------------|
| (a) | <u>Rose E.</u> | <u>1-11-32</u> | <u>33</u> | <u>125</u> | <u>5'4"</u> | <u>Wife</u> |
| (b) | | | | | | |
| (c) | | | | | | |
| (d) | | | | | | |
| (e) | | | | | | |
| (f) | | | | | | |
| (g) | | | | | | |

Signature of Applicant [Signature] Date 12-9-64Licensed Representative [Signature]Carolina Insurance Agency, Inc. Amount Prem. Paid 9.65Unit Name #38Unit Address Delaware NCBenefits: Daily Rate 12.00 Surgical 250.00 Prem. 9.65Mode of Payment: (1) J SA A Circle One

479-679-197

EFF 12-10-66

FR-110-1061

JAMES JONES EXHIBIT No. 24-I

HOSPITAL SURGICAL COVERAGE

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name TOM HOUSTON Sex M Birth 1942 Age 22
 2. Address RT 2 City PINK HILL State N.C.
 3. Height 5 Ft. 9 Ins. Weight 178 Lbs. Marital Status M
 4. Occupation Landscaping 5. Employer SELF
 5. List Included Family members.
- | | Name | Birth | Age | Wt. | Ht. | Relation |
|-----|----------------------|-------------|-----------|------------|------------|-------------|
| (a) | <u>Marie Houston</u> | <u>1943</u> | <u>21</u> | <u>160</u> | <u>5-4</u> | <u>WIFE</u> |
| (b) | | | | | | |
| (c) | | | | | | |
| (d) | | | | | | |
| (e) | | | | | | |
| (f) | | | | | | |
| (g) | | | | | | |

Signature of Applicant Tom Houston Date 5-11-65
 Licensed Representative M. R. Komegay
 Carolina Insurance Agency Inc. Amount Prem. Paid 9.65
 Unit Name LIMESTONE FISHING CLUB
 Unit Address P.O. BOX 313 REULANVILLE, N.C.
 Benefits: Daily Rate 12.00 Surgical 250.00 Prem. 9.65
 Mode of Payment: ☒ (H) ☐ J ☐ SA ☐ A Circle ☐ ~~BOY~~ NO. FR-110-1257
479-079-197 EFF. DATE 6-10-65

JAMES JONES EXHIBIT No. 24-J

HOSPITAL SURGICAL COVERAGE

INTERNATIONAL LIFE & ACCIDENT INSURANCE CO.

1. Name Willard, M. Rames Sex M Birth Jan 11, 1916 Age 41
 2. Address 116 Parker St. City Henderson State NC.
 3. Height 5 Ft. 8 Ins. Weight 175 Lbs. Marital Status Married
 4. Occupation Marine Corps Employer Textile Inc.

5. List Included family members.

	Name	Birth	Age	Wt. Ht.	Relation
(a)					
(b)					
(c)					
(d)					
(e)					
(f)					
(g)					

Signature of Applicant Willard Rames Date Jan 11, 1965

Licensed Representative Willard Rames

Carolina Insurance Agency Inc. Amount Prem. Paid 10.65

Unit Name Keystone Club

Unit Address 1069 Henderson NC.

Benefits: Daily Rate 12.00 Surgical 250.00 Prem. 10.65

Mode of Payment: M ☒ SA ☐ A ☐ Circle ☐ POL. NO. EP-110-1121

479-074-197

EFF. DATE 1-10-65

The CHAIRMAN. The committee will stand in recess for 10 minutes. (Whereupon, at 2:45 p.m. a brief recess was taken. All subcommittee members were present at time of recess and when hearings resumed.)

The CHAIRMAN. The subcommittee will be in order.

Call your next witness, Mr. Appell.

Mr. APPELL. Marshall R. Kornegay.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. APPELL. Mr. Chairman, I think maybe the witness nodded in taking the oath. The record could not record his nod.

The CHAIRMAN. The reporter didn't get your response.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KORNEGAY. Yes, sir.

**TESTIMONY OF MARSHALL ROBERT KORNEGAY, ACCOMPANIED
BY COUNSEL, LESTER V. CHALMERS, JR.**

Mr. APPELL. Would you please state your full name for the record, sir?

Mr. KORNEGAY. Marshall Robert Kornegay.

Mr. APPELL. Mr. Kornegay, are you appearing here today in accordance with a subpoena served upon you at 6:20 o'clock p.m., on the 10th day of October 1965, by an investigator of this committee, Mr. Neil E. Wettermann?

Mr. KORNEGAY. Somewhere about that.

Mr. POOL. Somewhere about that.

Mr. KORNEGAY. Somewhere about that date.

The CHAIRMAN. But you were served, and you are appearing pursuant to that subpoena?

Mr. KORNEGAY. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. KORNEGAY. Yes, sir.

Mr. APPELL. Would the counsel please identify himself for the record, please?

Mr. CHALMERS. My name is Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Kornegay, when you answered my question as to where you were served, you said sometime about that date. I would like to ask you exactly when and where you were served with the subpoena.

(Witness confers with counsel.)

Mr. KORNEGAY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Counsel, do you understand the question?

Mr. CHALMERS. Yes, sir. I am certain we can enter into a stipulation. I have Mr. Kornegay's subpoena before me right now.

The CHAIRMAN. Will you stipulate the time of service and place?

Mr. CHALMERS. Whatever the record shows, I will certainly stipulate to that.

The CHAIRMAN. State the time and place shown by the return.

Mr. APPELL. 6:20 p.m., Mr. Chairman, the subpoena shows on the reverse thereof that Investigator Wettermann, according to his return on the reverse of the subpoena, served Mr. Kornegay on a farm located on the south side of Route 58, 8 miles east of Danville, Virginia, at the location of a Klan rally at 6:20 p.m. on the 10th day of October 1965.

The CHAIRMAN. And Counsel, you do have authority to make that stipulation?

(Counsel confers with witness.)

Mr. CHALMERS. Yes, sir; I do.

The CHAIRMAN. Because this is technical. As sure as I am talking to you, [I] wouldn't take advantage of it, if anything comes out of this, but I must ask you this. I noticed that you consulted with your client. He agrees that you have that authority to make this stipulation?

Mr. CHALMERS. Yes, sir.

Mr. APPELL. Mr. Kornegay, when and where were you born?

Mr. KORNEGAY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. Are you an American citizen?

Mr. KORNEGAY. I respectfully decline to answer that question for the reason that I honestly feel——

The CHAIRMAN. We will not have any demonstrations.

Mr. KORNEGAY. —feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the constitutional amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I now order and direct you to answer the question before last, which is simply laying the foundation, which is preliminary in identifying you, namely when and where were you born?

Mr. KORNEGAY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. Mr. Chairman?

The CHAIRMAN. Mr. Pool.

Mr. POOL. Do you honestly feel that it would incriminate you to admit that you are an American citizen?

Mr. KORNEGAY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. The question is such that the Chair feels obligated to direct you to answer it. I can't see how anything incriminating is involved in admission or denial of American citizenship.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, I state it to you as a fact, and ask you to affirm or deny the fact, that you were born on September 10, 1928, in Sampson County, North Carolina.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are a graduate of Pine Grove, North Carolina, high school.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, under the terms of the subpoena served upon you, and an attachment thereto which was made a part of the subpoena, you were ordered and directed to produce items called for in five paragraphs.

I will now read to you paragraph No. 1 :

All books, records, documents, correspondence, and memoranda relating to the organization of an the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, in your possession, custody or control, or maintained by you or available to you as Grand Dragon, Realm (State) of Virginia of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I now demand the production of those documents in accordance with the terms of the subpoena.

MR. KORNEGAY. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

(Witness confers with counsel.)

MR. KORNEGAY. I respectfully decline to deliver to this committee the documents requested for I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

THE CHAIRMAN. We have been through this before, but we have to establish a record in each instance.

MR. CHALMERS, I take it that you admit and speak for your client that he has been in the room and that he is familiar with the opening statement I made regarding the relevancy and pertinency, from our point of view, of the documents sought to be produced.

MR. CHALMERS. Yes, sir; that is so stipulated.

THE CHAIRMAN. And I take it that, speaking for your client, you stipulate that for the reasons indicated in other instances of appearance before this committee, that the committee takes the position that his reasons for refusing to produce them are not well founded. Is that correct?

MR. CHALMERS. If they are not well founded?

THE CHAIRMAN. I mean from our point of view.

MR. CHALMERS. Yes, sir.

THE CHAIRMAN. And I think you also would stipulate, as you did in previous instances, that the subpoena was served on him and ordered him to produce those documents mentioned in paragraph 1 of the attachment to the subpoena in his capacity as Grand Dragon, Realm (State) of Virginia of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

MR. CHALMERS. Sir, if you recall what I said yesterday afternoon—

THE CHAIRMAN. Well, you state it.

MR. CHALMERS. I will stipulate what the subpoena shows, that it was served.

The CHAIRMAN. In other words, since your client does not admit that he is Grand Dragon, you don't wish to testify for him in that respect, but you admit that the subpoena calls for him to do that in that capacity.

Mr. CHALMERS. In that capacity; yes, sir.

The CHAIRMAN. And I understand the stipulations we have just entered into, you on behalf of your client, and me as chairman speaking for the committee, will apply to all pertinent paragraphs in this attachment relative to the production of other documents without the necessity of our having to repeat the stipulation in each instance.

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. And I will be accorded the privilege of saying for the reasons already indicated, he will be directed to produce them.

Mr. CHALMERS. Yes, sir.

May I suggest this to the chairman in the interest of time? I don't know whether it can be done. But in the interest of time and saving a lengthy record, could we also stipulate, you for the committee and me for my client, that his answers to your direction with respect to the other paragraphs in the subpoena will be the same.

The CHAIRMAN. That is satisfactory.

Mr. CHALMERS. Thank you, sir.

The CHAIRMAN. Now, Mr. Kornegay, I order and direct you to produce all the documents called for by the subpoena duces tecum in paragraph 1.

(Witness confers with counsel.)

Mr. KORNEGAY. Sir, I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee those documents called for and requested in the subpoena for I honestly feel that the delivery of these documents might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, I think to be perfectly clear I must ask you to stipulate that you understand that the reason for this direction is pursuant to our understanding of the jurisprudence, and that that indicates we don't agree with his refusal, and that his refusal to produce these documents pursuant to the subpoena may lead to a citation by the House for contempt.

Mr. CHALMERS. Yes, sir; I discussed that with my client and he is thoroughly familiar with it.

I was just wondering, Mr. Chairman, for the record, with respect to the other items, 2, 3, 4, and 5, is there any further need for any stipulation in connection therewith?

The CHAIRMAN. I personally think, and I am asking our counsel to look them over, that it would be sufficient to have one more direction to produce the documents called for by the other paragraphs. I don't know how many there are.

Mr. CHALMERS. Whatever the chairman thinks is best.

Mr. APPELL. Mr. Kornegay, under the terms of the subpoena, you were ordered to bring with you and produce items called for in an attachment which was made part of the subpoena, part 2:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, the Realm (State) of North Carolina and Capital City Restoration Association, in your possession, custody or control, or maintained by or available to you as an officer or employee of the Realm (State) of North Carolina, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

The CHAIRMAN. We have stipulated that you would read them all.

Mr. APPELL. All right, sir.

(3) All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Dragon, Realm (State) of Virginia, United Klans of America, Inc, Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

(4) All books, records, documents, correspondence, and memoranda relating to any insurance contracts between the Capital City Restoration Association and the International Life and Accident Insurance Company.

(5) Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, [titled] "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

Mr. Kornegay, I call for you to produce the documents called for by paragraphs 2, 3, 4, and 5.

Mr. Chairman, I have been advised by counsel that I should demand each separately.

I now call for the production of those called for in paragraph 2.

(Witness confers with counsel.)

The CHAIRMAN. His answer should be with respect to each one. He will have to answer to each of the demands.

Mr. KORNEGAY. I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid, remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV, of the House rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee any documents as requested for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. For the reasons previously indicated, to which a stipulation has been made by your counsel, Mr. Kornegay, I order and direct you to produce the documents you were ordered to produce by the subpoena served upon you.

(Witness confers with counsel.)

Mr. KORNEGAY. I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid, remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee any records or documents as requested, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Ashbrook left the hearing room.)

Mr. APPELL. Mr. Kornegay, I now ask you, under the conditions and terms of the subpoena, to produce those documents which I read to you which are called for in paragraph 3.

(Witness confers with counsel.)

Mr. KORNEGAY. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in consideration of any valid, remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee any and all documents as requested for to do so I honestly feel might tend to incriminate me in violation of my rights as guaranteed by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I now ask for a direction for the production of those documents called for in paragraph 3.

The CHAIRMAN. For reasons previously stated, and as to which a stipulation has been made, Mr. Kornegay, I order and direct you to produce those documents thus called for in paragraph 3 of the attachment to the subpoena served upon you.

Mr. KORNEGAY. Sir, I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid, remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee any and all documents as requested by the subpoena for to do so I honestly feel might tend to incriminate me in violation of my rights as guaranteed to me by amendments, 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Kornegay, under the conditions of the subpoena which called upon you to bring with you and to produce, I now demand the production of those documents called for in paragraph 4.

Mr. KORNEGAY. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid, remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee any and all records as requested by the subpoena for I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments, 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, may I ask for a demand from the Chair, sir?

The CHAIRMAN. For the reasons previously indicated, and as to which a stipulation has been made with your counsel speaking for you, Mr. Kornegay, I order and direct you to produce the documents called for by paragraph 4 of the attachment to the subpoena duces tecum served upon you.

Mr. KORNEGAY. I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid, remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee any and all records as requested by the subpoena for to do so I honestly feel might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Kornegay, under the terms of the subpoena served upon you, which called for you to bring with you and to produce documents, I now demand the production of those documents called for in paragraph 5.

Mr. KORNEGAY. I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid, remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to this committee any and all documents as requested by the subpoena for to do so I honestly feel might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Kornegay, paragraph 5, unlike paragraphs 1, 2, 3, and 4, calls for the production of your individual income tax

returns. You have invoked the fifth amendment, the provisions of the fifth amendment, against self-incrimination to that demand.

I now order you to produce the documents called for in paragraph 5.

Mr. KORNEGAY. I respectfully decline—

The CHAIRMAN. No, I am not demanding.

In other words, I accept his invocation on paragraph 5.

Mr. CHALMERS. I am sorry.

Mr. APPELL. Mr. Kornegay, would you give the committee a brief resume of your employment background?

Mr. KORNEGAY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Weltner left the hearing room.)

Mr. APPELL. Mr. Chairman, I ask that the subpoena be made a part of the record at this point, and I ask that all additional documents be offered in evidence in the order in which they are presented.

The CHAIRMAN. That course will be followed, Mr. Reporter.

In preparing the record you will follow the rules previously announced, namely, that each document exhibited will be received in sequence, in the order in which they have been referred to and exhibited.

(Document marked "Marshall Kornegay Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Mr. Kornegay, do you presently hold a license to engage in the sale of insurance in the State of North Carolina?

Mr. KORNEGAY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. In 1957, did you lose your insurance license?

I put it to you as a fact, and ask you to affirm or deny the fact, that in 1957 you lost your insurance license in the State of North Carolina.

Mr. KORNEGAY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I would like to read into the record documents obtained from the Insurance Department of the State of North Carolina with respect to the insurance license held by Mr. Kornegay prior to February of 1957.

The first letter is from the Southland Life Insurance Company, addressed to Mr. Cecil Duncan, North Carolina Department of Insurance, Raleigh, North Carolina:

Re: Marshall Robert Kornegay.

Dear Cecil:

We advised your department Monday, February 25, 1957, to cancel the insurance license for the above named.

Mr. Kornegay left us at the close of business Friday, February 22, 1957, without showing up his account. We have already this week found approximately \$100.00 shortage in two cases and we anticipate further shortage on this debit.

We will advise you further as to the amount of the shortage and to what action has been taken regarding same.

The CHAIRMAN. That is addressed to whom?

Mr. APPELL. That is addressed to Mr. Cecil Duncan of the North Carolina Department of Insurance, signed by T. E. Williamson, District Manager, Southland Life Insurance Company.

I would now like to read a letter dated April 3, 1957, addressed to Mr. M. R. Kornegay, Route 1, Turkey, North Carolina:

DEAR MR. KORNEGAY:

We have completed the inspection of debit number 12, and we have found a total shortage on this debit of \$342.71. You have a credit in our office of \$48.95, deducting this amount from the total shortage would leave a balance of \$293.76

As required by law under general statutes 14-96.1 this is being turned over to the North Carolina Insurance Department as of today. I know you will want to contact the Insurance Department immediately regarding this.

Sincerely yours,

/s/ T. E. Williamson,
T. E. WILLIAMSON,
District Manager.

I hand you this, Mr. Kornegay, and ask if you received the original of this copy?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, I read to you a letter dated April 4, 1957:

Mr. M. R. KORNEGAY,
Route 1,
Turkey, N.C.

DEAR SIR:

In accordance with G.S. 14-96.1 the Southland Life Insurance Company has reported a shortage of \$342.71 less \$48.75 credits, leaving a net balance due at this time of \$293.76.

It is a violation of the criminal laws of this State to not properly account for premiums collected while acting as a licensed agent and unless full restitution is made immediately it will be necessary for this Department to take appropriate action. Your license has been cancelled and tagged.

Very truly yours,

C. C. DUNCAN,
Deputy Commissioner.

I put it to you as a fact, and ask you to affirm or deny the fact, that you did receive the original of the copy that I am now showing you.

(Document handed to witness.)

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I would like to now read, Mr. Chairman, a letter dated April 17, 1957, on the letterhead of the Southland Life Insurance Company, from T. E. Williamson, District Manager, addressed to Mr. C. C. Duncan, Deputy Commissioner of Insurance, North Carolina Department of Insurance, Labor Building, Raleigh, North Carolina:

Re: M. R. Kornegay

Dear Mr. Duncan:

As you will recall Mrs. Kornegay contacted you on April 8, 1957, and arranged with you to make full settlement with us on Monday, April 15, 1957. As of this

date we have heard nothing from these folks, and would appreciate if you would take what further action you see fit in this case.

Sincerely,

/s/ T. E. Williamson,
T. E. WILLIAMSON,
District Manager.

A letter on the letterhead of the Southland Life Insurance Company, dated April 26, 1957, on the stationery of T. E. Williamson, District Manager, to Mr. C. C. Duncan, Deputy Commissioner, North Carolina Department of Insurance, Labor Building, Raleigh, North Carolina:

Re: M. R. Kornegay

Dear Cecil:

I am glad to advise that a friend of Mr. Kornegay's came by our office yesterday and paid the shortage of \$293.76 which was due by him. This gives us a complete settlement with this man.

Sincerely,

/s/ Tom
T. E. WILLIAMSON,
District Manager.

Mr. Kornegay, I put it to you as a fact, and ask you to affirm or deny the fact, that you refused to repay the person from whom you borrowed the money or who came in and paid off the indebtedness which was reported by this firm.

(Witness confers with counsel.)

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Documents marked "Marshall Kornegay Exhibits Nos. 2-A through 2-E," respectively, and retained in committee files.)

The CHAIRMAN. Mr. Kornegay, I notice that you have been talking to your counsel, which is absolutely proper. I want the record to show that you are at perfect liberty to say that you did repay those funds. I am saying that our information is as stated. I do not want you to say later on that we knew all along this, thus, and the other thing, so this is an opportunity to speak up at this time.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, I put it to you as a fact, and ask you to affirm or deny the fact, that you became a member of the United Klans of America on July 3, 1964.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I hand you a copy of the oaths of allegiance issued to Klansmen. I ask you to examine this document and to answer as to whether or not this is the series of oaths which you took.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 4.")

Mr. APPELL. Mr. Kornegay, did you speak at a public rally of the United Klans on April 3, 1965, near China Grove, North Carolina?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact that during the speech you stated that, during your speech you advised the assembled people that you had been interviewed by the FBI recently and that the agents advised you it was a violation of law to carry a concealed weapon.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, if you did not then, there and then, pull back your robe and coat and display a holster and gun to the crowd and stated that you always intended to wear this gun in the future.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact that you generally carry a .25 caliber automatic pistol.

The CHAIRMAN. And he asked you whether you affirm or deny that fact.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you own two .303 British rifles and one 7.65 Argentine Mauser.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that on December 13, 1964, you demonstrated incendiary devices for several Klansmen at a meeting at your home.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that one of the incendiary devices was a capsule containing powder which was dropped into a container of acid which, in turn, was suspended in a container of gasoline. When the acid ate through the capsule, the powder was ignited which set off a minor explosion and ignited the gasoline.

Mr. KORNEGAY. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Was this demonstration, to your knowledge, known by the Grand Dragon, Mr. James R. Jones?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. What was the purpose of this demonstration conducted by you?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, prior to your becoming a paid employee of the Klan, and a Grand Dragon for the State of Virginia, you had not held steady employment; is that not a fact?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. In 1960, were you employed by the Capital Sewing Center, the Morse Sewing Center, and the Atlas Sewing Center, all of Raleigh, North Carolina?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. During the year 1961, did you have any employment other than that with the Atlas Sewing Center?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Wasn't your total income for the year 1961 from the Atlas Sewing Center \$2,486?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. I think that figure is being read from a copy of the income tax return; is it not, Mr. Appell?

Mr. APPELL. It is, sir.

The CHAIRMAN. Ask him if it is correct as reported.

Mr. APPELL. I ask you if it is not a fact, I state to you that it is a fact, and ask you to affirm or deny the fact, that that is what you reported on your individual tax return for the year 1961.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. For the year 1962, I put it to you as a fact, and ask you to affirm or deny the fact, that you were employed by Carolina Model Homes, and received total income from that firm of \$809.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in the same year you were employed by Capitol Homes, Inc., and received total income of \$1,853.76.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the total income which you reported in 1962 was \$2,262.76.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in 1963 you were employed by Summit Insurance Company of Raleigh, North Carolina, and received commissions and wages totaling \$2,379.15.

The CHAIRMAN. As reported on your income tax return.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I ask you if also in the year 1963 you were employed by the Carolina Insurance Agency and received total income of \$1,343.30, and I put it to you as a fact, and ask you to affirm or deny it.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you reported total income for the year 1963 of \$3,722.45.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Income tax returns for years 1961-1963 marked "Marshall Kornegay Exhibits Nos. 3-A through 3-C," respectively, and retained in committee files.)

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in 1965 you became a paid employee of the United Klans of America, Knights of the Ku Klux Klan, and received salary from an account maintained in the name of the United Klans of America, care of James R. Jones, P.O. Box 321, Granite Quarry, North Carolina, maintained at the Wachovia Bank and Trust Company, Salisbury, North Carolina.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, I am now going to hand to you checks dated July 5, 1965; July 10, 1965; July 16, 1965; July 23, 1965; August 1, 1965; August 6, 1965; August 14, 1965; August 20, 1965.

These checks are on a check which has imprinted on the top "United Klans of America, Inc., P.O. Box 321, Granite Quarry, N.C." The dates that I have mentioned appear on the checks. They say, "Pay to the order of M. R. Kornegay \$150.00," drawn on the Wachovia Bank and Trust Company, Salisbury, North Carolina. Purpose for which drawn: "Salary & Expense."

There is then imprinted over two signatures "United Klans of America, Inc., James R. Jones, Donald E. Leazer," or "Fred L. Wilson."

The CHAIRMAN. And the checks are in what amounts?

Mr. APPELL. \$150 each, eight checks totaling \$1200. I put it to you as a fact, and ask you to affirm or deny the fact, that these checks were issued to you and that these checks contain your endorsement on the reverse thereof, as the person who cashed them or deposited them, these checks.

(Witness confers with counsel.)

(At this point Mr. Weltner returned to the hearing room.)

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Documents previously marked "James Jones Exhibit No. 7-E." See p. 1721.)

Mr. APPELL. Mr. Kornegay, did the membership of the United Klans in the State of North Carolina know that you were receiving \$150 a week salary from them, from their money?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, I hand you a document which is an undated document, prepared earlier than the document to which I referred this morning in interrogating Mr. Jones. This document is signed "Marshall Robert Kornegay, Grand Klokard of N.C., Chairman—Car Committee."

I put it to you as a fact, and ask you to affirm or deny the fact, at the time this document was distributed to all Klans in the North Carolina area that you held the position set forth on that document.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "Marshall Kornegay Exhibit No. 4" follows:)

MARSHALL KORNEGAY EXHIBIT No. 4

K A' WITS: : J

Listed below is the amount each unit has paid on the Cadillac up to this date.

Unit number	
22 — Dunn	\$175.00
37 — Farmville	100.00
48 — Bealeville	65.00
10 — Greensboro	59.00
9 — Durham	58.00
6 — Williamson	50.00
24 — Rocky Mount	50.00
29 — Lenoirburg	50.00
41 — Raleigh	50.00
35 — Blounts Creek	50.00
33 — New Bern	50.00
51 — Nashville	50.00
43 — Tarboro	50.00
30 — Norlina	50.00
34 — Cherryville	45.00
1 — Salisbury	42.00

This is a combined total of \$1,314.99.

Unit number:	
23 — Seaford	\$20.00
26 — Atlantic	20.00
53 — Greenville	20.00
67 — Henderson	20.00
11 — High Point	20.00
46 — Clinton	20.00
38 — Goldsboro	20.00
39 — Suffolk	20.00
40 — Newbern Rapids	20.00
27 — Biscoe	20.00
Salisbury Ladies	20.00
15 — Pittsboro	19.00
6 — Raleigh Ladies	10.00
31 — Wilson	10.00
9 — Lenoirburg Ladies	15.00

Fellow Klansmen, the time for our pay off on this auto is rapidly coming around. We have only \$402.29 left in the car fund at this time. As you can see by the figures, we must have a substantial amount sent in to pay off this obligation.

We have received some money from 31 units (including 3 Ladies units) which only gives us 28 men's units cooperating.

According to the ones that have helped, we must get approximately \$175.00 per unit to pay the amount off.

If your unit hasn't contributed any money, please send us a check as soon as possible. If you have sent a small amount please make up the difference to the full amount of \$175.00 if at all possible.

I would like to thank personally each and every Klansman that has helped the car committee in this tremendous undertaking. I would also like to say that our Grand Dragon has appreciated the Honor bestowed upon him, by all of us, more than words could ever convey.

This beautiful auto has been one of the shining examples of white men getting together in great show of Klansmanship.

As you know the words of our oath unite us in a strong common bond of fellowship; each man for each other and the group for each man.

Let us continue to be brothers and to stand up for what we know is right.

The God given right to be white and the God given right to be free.

Send money to; Mr. M. E. Kornegay, P. O. Box 9183, Raleigh, N. C.

Thank you Brother Klansman!

Marshall Robert Kornegay
Grand Klunkard of N. C.
Chairman - Car Committee

Mr. APPEL. Mr. Chairman, I would like the record to show—and I am not going to deal with the dollar signs of the money that had been paid into the Cadillac fund because I have referred to that and it is in the record of this morning—

The CHAIRMAN. Give a résumé of the document.

Mr. APPELL. The thing I wanted to do, Mr. Chairman, is that the document this morning says that from, let's say, Sanford, there was so much money received. I would like to show in the record at this time that the unit number of the Klavern is shown on this document. Therefore, the unit in Dunn is Unit 22; the unit in Farmville is Unit No. 37; the unit in Beulaville is No. 48—

The CHAIRMAN. By unit, do you mean Klavern?

Mr. APPELL. Yes, sir. That is the number assigned to the Klavern.

The unit in Greensboro is Unit 10; the unit in Durham is No. 9; the unit in Williamston is No. 4; the unit in Rocky Mount is No. 24; the unit in Louisburg is No. 29; the unit in Raleigh is No. 41; the unit in Blounts Creek is No. 35; the unit at New Bern is No. 33; the unit at Nashville is No. 51; the unit at Tarboro is No. 43; the unit at Norlina is No. 30; the unit at Cherryville is No. 34; the unit at Salisbury is No. 1.

Incidentally, Mr. Chairman, the committee's investigation established that even under the days of the old U.S. Klan, the unit in Salisbury was also No. 1.

The unit at Sanford is No. 23; the unit at Atkinson, No. 26; the unit at Greenville is 53; the unit at Henderson is 47; the unit at High Point is 11; the unit at Clinton is No. 46; the unit at Goldsboro is 38; the unit at Enfield is No. 39; the unit at Roanoke Rapids is 40; the unit at Biscoe is 27; the Salisbury ladies receive no unit number; the unit at Pittsboro is 19; the Raleigh ladies are given a unit designation of 6. The Wilson unit is No. 31 and the Louisburg ladies unit is No. 9.

Mr. Kornegay, there was put into the record this morning through Mr. Jones a report sent out as a compliment to a letter signed by him, a report on the car from the car committee and yourself as chairman showing that \$4,522.59 had been sent in and that there had been paid out \$4,522.59. There is a typed signature of "M. R. Kornegay, Chairman Car Committee." The enclosure announced that you were then at that time Grand Dragon of Virginia.

Did you prepare this document which I now hand you?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Documents previously marked "James Jones Exhibits Nos. 18-A and 18-B," respectively. See pp. 1746, 1747.)

Mr. APPELL. Mr. Kornegay, in a State meeting in March 1965, were you elected to the position of klokard, or reelected to the position of klokard?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were present at that State meeting.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that at that State meeting, James R. Jones was elected Grand Dragon, Grady Mars was elected Grand Klaliff; that you, yourself, were elected grand klokard; that Reverend Roy Woodle was elected grand kludd; that Fred Wilson was elected grand klabee; that Robert Reaves was elected grand kladd; that Mr. Albert Outlaw was elected

grand klarogo; that Mr. Clarence Brindle was elected grand klexter; and that Boyd Hamby was elected grand night-hawk.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, were you the originator of the formation of a hospital-surgical insurance plan underwritten by the International Life—

Mr. KORNEGAY. I respectfully decline—

Mr. APPELL. I haven't finished yet.—the International Life and Accident Insurance Company with the Capital City Restoration Association?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Documents marked "Marshall Kornegay Exhibit No. 5" and retained in committee files. A list of applicants for such group hospitalization policies appears on pp. 1814-1818.)

Mr. APPELL. Were you a member of the Capital City Restoration Association?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were a member of the Capital City Restoration Association.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact that in the adoption of this insurance program—and I ask you to affirm or deny the fact—the Klans within the State, the Klaverns within the State of North Carolina, were told that the first month's premiums would be used to pay the expenses of Grand Dragon Jones and that a portion thereof would revert to the Klaverns.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that there was paid to you in the form of commissions from November of 1964 through May of 1965, in the form of new commissions and renewal commissions, the total of \$3,562.74.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, it is the committee's information that International Life and Accident Insurance Company sold out in early June or July of 1965 to the Life Insurance Company of Florida and that, following this transaction the Life Insurance Company of Florida determined that what was being written was not insurance for what they considered to be a legitimate fraternal organization, but that of the Ku Klux Klan, and that the new owners of the insurance company ordered that the policies be canceled and that refunds be made on all premiums paid covering periods that had not lapsed.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. WELTNER. What was the date of that action by the owners of the company?

Mr. APPELL. Mr. Weltner, we have a letter here——

The CHAIRMAN. Just give the date.

Mr. APPELL. June 3, 1965. The pro rata refund of unearned premiums and adjustments of commissions would be made on or before June 20, 1965.

Mr. WELTNER. What was the initial date of the coverage?

Mr. APPELL. The initial date of the coverage?

Mr. WELTNER. How long had the plan been in effect?

Mr. APPELL. According to the documents which we subpoenaed and received from Mr. R. B. Royal, a former owner of the International Life and Accident Insurance Company, Mr. Kornegay received premiums or commissions on this from November—and the exact date in November is not stated—1964 through May of 1965.

Mr. WELTNER. Thank you.

Mr. APPELL. November through May of 1965, and total commissions paid to Mr. Kornegay were \$3,562.74.

Mr. Kornegay, did this cause a great deal of dissension among the Klansmen in North Carolina, the fact that some of them had paid premiums for 4 or 5 months, had had no illnesses, and all of a sudden their policies were cancelled on them?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Documents marked "Marshall Kornegay Exhibit No. 6" and retained in committee files.)

The CHAIRMAN. Isn't it a fact that there was a considerable ruckus and dissatisfaction among the membership in view of the cancellation of their policies and the small refunds made to them compared to the full amount they had paid?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, according to the files that we received, you had a contract with Mr. R. B. Royal in which you signed a contract to operate in Raleigh, North Carolina, a branch office of the Carolina Insurance Agency.

I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Royal found it necessary to terminate his contract with you.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I would like to read into the record a letter dated June 21, 1965, addressed to Mr. M. R. Kornegay, P.O. Box 9183, Raleigh, North Carolina:

Dear Bob:

Shortly after our last visit I took a vacation which lasted for almost two weeks. I arrived in the office again this date and upon examining the reports I find you have not submitted any new business nor have you remitted any renewal premiums. I checked the lapses for April and May and found you had a total of \$150.60 in monthly premium. Some of these were advance pay cases, but I broke it down to show our monthly premium losses.

During our last visit we both discussed our future careers and as I told you mine is in the insurance business. I realize you are interested in another cause and I further realize [sic.] a person has to devote their talents to any endeavor they are most interested in. I feel as though you have lost interest in the insurance business, but due to my investment I am going to have to continue to stay in this field. You know the history behind the Raleigh office and I am

sure you relize [sic.] this has been a very costly operation from the date of origin [sic.]. I feel that you can only say that I have treated you fairly and I would like to also feel that we are going to continue to be friends in the future. I am going to either close the office or appoint another person in Raleigh who will devote their full time to my business. If you desire to keep the office you are in I will make arrangements to move the furniture on or before July 1, 1965. Please advise the landlord of your intentions upon receipt of this letter.

Regards,
R. B. ROYAL

Did you receive the original of this letter, Mr. Kornegay?

(Document handed to witness.)

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "Marshall Kornegay Exhibit No. 7" and retained in committee files.)

Mr. APPELL. That letter, Mr. Kornegay, was dated June 21, 1965.

I read a letter dated Carolina Insurance Agency, Post Office Box 9183, Raleigh, North Carolina, June 25, 1965. "Mr. R. B. Royal, President, Carolina Insurance Agency Ins., Greensboro, North Carolina":

Dear Mr. Royal:

Since receiving your letter of dismissal dated June 21, 1965, I have given a lot of thought to this matter and contacted an attorney and I do not propose to go along with some of the things in said letter.

I this date ask for a conference between your attorney and you, my attorney and me as soon as possible.

Let's try to work this meeting within the next few days and then you can move the furniture.

Very truly yours,
/s/ M. R. Kornegay
M. R. KORNEGAY

(At this point Mr. Weltner left the hearing room.)

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that this is a copy of the original letter which you wrote to Mr. R. B. Royal.

(Document handed to witness.)

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "Marshall Kornegay Exhibit No. 8" and retained in committee files.)

Mr. APPELL. Mr. Kornegay, I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Royal paid off for you promissory notes, made good on checks which bounced for insufficient funds, paid for telephone calls that were not insurance business, and that when you left his employment you owed him the sum of \$1,435.22.

(Witness confers with counsel.)

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, I would like to ask you whether you possess any knowledge of how, why, and who had anything to do with the burning of a cross on the lawn of the Governor's Mansion, former Governor Terry Sanford, on August 14, 1964.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I ask you if you possess any knowledge with respect to the placing and setting off of a cross, the burning of a cross, on February 23, 1965, in front of the Reverend Frank Hutchinson's home, 913 South West Street, Raleigh?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions to ask this witness at this point.

I do have another item, Mr. Chairman.

Mr. Kornegay, I would like to ask you if it is a fact, from the information that the staff has gathered during its investigation, that the reason you were appointed Grand Dragon in Virginia was because of the resentment within the Klan against you in the State of North Carolina?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I ask you if it is a fact, as our investigation established, that several members of the Klan, because of your conduct, had threatened you personally prior to your going to Virginia?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Kornegay, I put it to you as a fact, and ask you to affirm or deny the fact, that at a meeting of the Rocky Mount Klavern on March 13, 1965, you addressed the group and spoke concerning Selma, Alabama, racial demonstrations, and that in the course of your presentation, and I will summarize this, you indicated that there was a definite need for mass killing in Selma, Alabama, before things could get back to normal.

I ask you to affirm or deny that.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I have no further questions.

The CHAIRMAN. Mr. Pool.

Mr. POOL. Mr. Chairman, in listening to the testimony here, especially the testimony on the actions of the witness in regards to bringing the records before the committee, I don't intend to advise him as counsel. He has a lawyer with him and I respect the lawyer's counseling. But I want to point out that in *Arthur McPhaul* versus the *United States of America*, which was decided by the Supreme Court on November 14, 1960, Mr. Justice Whitaker delivered this opinion, and I will just cite the reference to the question we have had before us today.

It was a similar case where the witness had been subpoenaed to bring records and correspondence and things like that pertaining to the organization to a certain committee. This was before the House Committee on Un-American Activities. Mr. Justice Whitaker in his opinion, and the opinion was upheld by the Supreme Court, or, rather, speaking for the court, said this in his opinion:

The Fifth Amendment did not excuse petitioner from producing the records of the Civil Rights Congress, for it is well settled that "[b]ooks and records kept 'in a representative rather than in a personal capacity cannot be the subject of the personal privilege against self-incrimination, even though production of the papers might tend to incriminate [their keeper] personally.' * * *."

Here is another part of his opinion—

“ * * * a decent respect for the House of Representatives, by whose authority the subpoenas issued, would have required that [he] state [his] reasons for non-compliance upon the return of the writ.” * * *

In view of that, I will ask both the witness before us and also his attorney if they care to produce the records?

Mr. CHALMERS. Mr. Pool, may I state that I am thoroughly familiar with that opinion you have just read from, and we have been ordered by the Chairman to deliver the records. He has directed us to do it. We have declined to do it.

Mr. POOL. And you are going to stand on the record as made by you and your client?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Have you anything else, Mr. Appell?

Mr. APPELL. No, Mr. Chairman.

The CHAIRMAN. Mr. Buchanan.

Mr. BUCHANAN. Mr. Chairman, I have no questions of this witness but I would like to make one statement. This committee is engaged in a solemn legislative purpose. As I understand it, it is our job, and we have had a mandate to do this, to look into an organization or a group of organizations to determine their nature of activities, to see whether there is a need for a legislative action or remedy. This is our purpose as a committee of the Congress.

In line with that purpose, one of the ways in which you understand an organization and come to evaluate that organization is by looking at its leadership and at the character and caliber of its leadership.

It seems to me that we have been doing a good bit of this in the hearings today. I just want to point out that this is a way to evaluate and to come to understand an organization, by taking a look at its leadership. In this connection, Mr. Chairman, I said this in order to say this, that I rather regret personally my earlier slip of the tongue in which I referred to the Imperial Wizard as the “Inferior Lizard,” not particularly because my opinion of Mr. Shelton has changed in the last hour, but because seriously this is not a place, of course, for name-calling or for personal opinion, so much as for developing evidence and hearing testimony to understand an organization.

I think we could say, and I think anyone who has attended these hearings would admit and testify, we have shed light on the nature of the leadership, the character and caliber of the leadership in this organization in the hearings to date.

Thank you, Mr. Chairman.

The CHAIRMAN. I understand you overlooked one point, Mr. Appell.

Mr. APPELL. Yes, Mr. Chairman, I overlooked one point.

Mr. Kornegay, the committee subpoenaed from the Branch Bank & Trust Company of Wilson, North Carolina, the checking account of M. R. Kornegay and the Carolina Insurance Agency. An analysis of this account shows that there was paid by check, stamped to identify it as “Carolina Insurance Agency, Inc.,” and “P.O. Box 9001,” it looks like, “Raleigh, North Carolina,” eight checks totaling \$415 to J. R. Jones, all signed M. R. Kornegay.

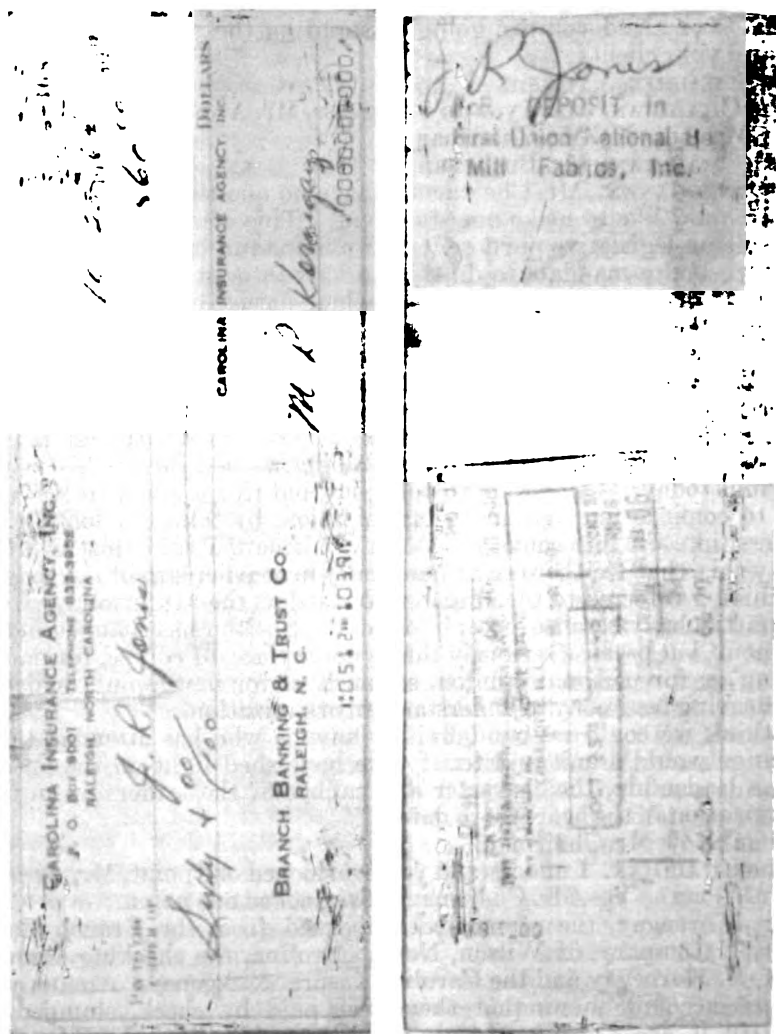
I put it to you as a fact, and ask you to affirm or deny the fact, that there are these eight checks totaling \$415 with you as the maker and with the payee as Mr. Jones.

(Documents handed to witness.)

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Documents marked "Marshall Kornegay Exhibit No. 9." One of said checks follows; balance retained in committee files.)

MARSHALL KORNEGAY EXHIBIT No. 9



Mr. APPELL. Were these payments in the form of commissions to Mr. Jones on insurance written under the contract between the Capital City Restoration Association and International Life and Accident Insurance Company?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I wish to point out, Mr. Chairman, that, as we observed in other parts of the record, two of these checks payable to Mr. Jones, one dated October 23, 1964, and one dated 11-6-64, did not go into any bank account of Mr. Jones, but went to show a further endorsement of the Mill Fabrics, Inc., and as these are 1964 this is additional material purchased by Mr. Jones, of which we do not have a record.

The president of Mill Fabrics explained the discrepancy to us by saying that when a person comes into the store and pays cash he has no invoice and, therefore, he did not have knowledge of additional purchases by Mr. Jones.

Mr. KORNEGAY, I show you a series of checks, all but one on the imprinted check of Carolina Insurance Agency, Inc., all with the maker being M. R. Kornegay, checks dated 11-12-64, 11-25-64, 12-14-64, 12-16-64, 2-2-65, 7-8-65—there are six checks totaling \$529, payable to Al or Albert Outlaw, who has been identified in this record as an official of the United Klans of America, Realm of North Carolina.

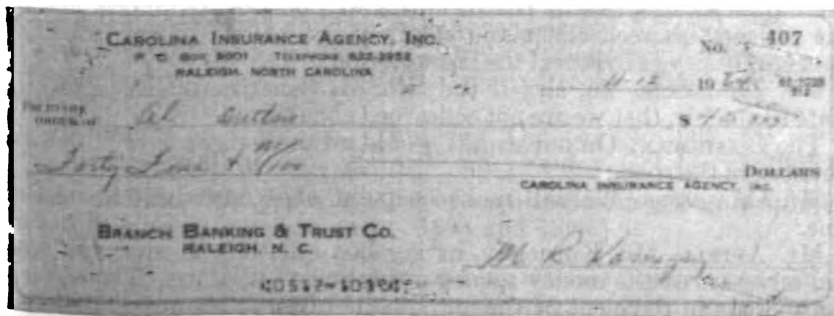
I put it to you as a fact, and ask you to affirm or deny the fact, that you are the maker of those checks and that Albert or Al Outlaw is the recipient of the money.

(Documents handed to witness.)

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Documents marked "Marshall Kornegay Exhibit No. 10." One of said checks follows; balance retained in committee files.)

MARSHALL KORNEGAY EXHIBIT No. 10



Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that instead of this money going to the Klaverns, that it was really announced as a plan at the start of the program that this money was paid to an official of the Klan, Albert or Al Outlaw as premiums for insurance that he sold.

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. In examining your bank account, Mr. Kornegay, we could only find checks payable to the Farmers & Merchants Bank

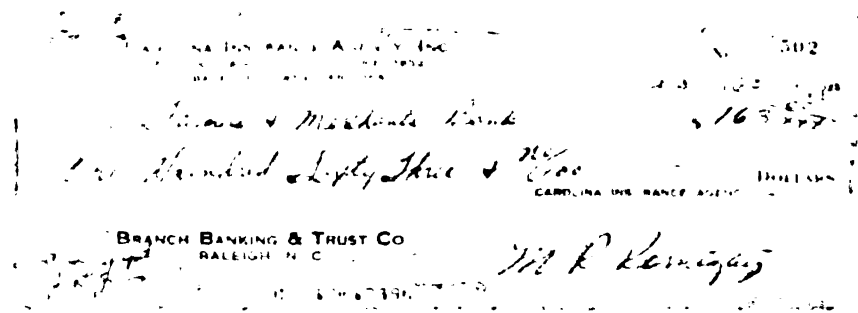
towards the automobile, the Cadillac, given or donated to Mr. Jones in the amount of \$1956.

How was the balance of this money collected by you handled, and what was its depository?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

(Documents marked "Kornegay Exhibit No. 11." One check follows; balance retained in committee files.)

MARSHALL KORNEGAY EXHIBIT No. 11



Mr. APPELL. Mr. Kornegay, did any part of the money submitted to you by Klaverns—

(Witness confers with counsel.)

The CHAIRMAN. I see there is a whisper between counsel and his client. Let the record note that it is now exactly 5 o'clock, and when that last question was asked, whatever time that was, perhaps a minute or so ago, one of the members was on the telephone, and if the whisper between client and attorney had to do with a lack of a quorum, I ask you to repeat the last question.

Mr. CHALMERS. No, sir; it did not, Mr. Chairman. And may I state to you, sir, that we are not concerned about that.

The CHAIRMAN. On our own, I would adjourn right now if he had not been in the room.

Mr. CHALMERS. We will make no point of it anywhere along the line.

Mr. APPELL. Mr. Kornegay, as my last question, I must ask you did any part of the money turned over to you by Klans, Klaverns or individuals in payment of the automobile given to James R. Jones—was any of that money appropriated by you for your own purpose?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I have no further questions.

The CHAIRMAN. Mr. Kornegay, what is the Capital City Restoration Association? Honestly, what does it restore? What is the business of it?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. I am told by an investigator that our investigation reveals that this is one more front of a Klan organization. It is just a Klavern.

One final question, the same I put to the previous witness: The evidence established that you are the Grand Dragon of the United Klans of America, Inc., for the State of Virginia. Under the constitution and bylaws of the United Klans of America, checks drawn on their account or accounts of the United Klans of America are required to be authorized formally and specifically, as I recall, by the constitution and bylaws of the United Klans of America, requiring that the check be countersigned, with one signer required to be the treasurer, whatever the nomenclature is in the organization, and, as I understand it—and please correct me if I am wrong—as a Grand Dragon you collaborated with, advised with, or sort of acted in some broad form or other capacity with Mr. Shelton.

I ask you, were you aware of the fact that two people in fact signing the checks against the account of the United Klans of America, of which Shelton is the Imperial Wizard, were allegedly a male named James J. Hendrix, who turned out to be Mrs. Shelton, and another man named T. M. Montgomery, who turned out to be Carol Long, and that apparently to me, anyway, this was a ruse and a blind, deliberately or purposely designed to hide?

Were you aware of the fact that these two supposedly men were the ladies I named?

Mr. KORNEGAY. I respectfully decline to answer that question based on the grounds previously stated.

Mr. POOL. I have no further question, Mr. Chairman, in view of the fact that we have a reluctant Dragon here before us.

The CHAIRMAN. The committee will stand in recess until 10 o'clock tomorrow morning.

Before Mr. Kornegay leaves, I want to tell you, Mr. Kornegay, that you will remain under subpoena until November 15.¹

We will now stand in recess until 10 o'clock tomorrow morning.

(Subcommittee members present at time of recess: Representatives Willis, Pool, and Buchanan.)

(Whereupon, at 5:05 p.m., Thursday, October 21, 1965, the subcommittee recessed, to reconvene at 10 a.m., Friday, October 22, 1965.)

[On the following pages is a list of applicants for group hospitalization policies referred to on pp. 1805 and 1898.]

¹ Mr. Kornegay was not recalled, and on December 29, 1965, was discharged from further appearance under his subpoena.

[The following are applicants for group hospitalization policies sponsored by the United Klans of America, Inc., Realm of North Carolina, using cover name of Capital City Restoration Association. Kornegay Exhibit No. 5, p. 1805.]

Name and address of applicant	Name and address of unit	Name and address of applicant	Name and address of unit
Addison, Elmore L., 3002 E. Greer St., Durham, N.C.	Capital City Restoration Assn., P.O. Box 10484, Raleigh, N.C.	Brown, Wade H., Route 1, Box 260, Chinquapin, N.C.	Capital City Restoration Assn., P.O. Box 10484, Raleigh, N.C.
Adkins, Berkley H., Route 7, Burlington, N.C.	Do.	Bryan, Charles Sanford, P.O. Box 321, Granite Quarry, N.C.	Do.
Albertson, John E., Route 1, Beulaville, N.C.	Do.	Bryant, Joseph C., 1917 Wood Dale Terrace, Charlotte, N.C.	Do.
Allen, Cushion Biggs, Route 3, Williamston, N.C.	Do.	Bullock, James Robert, Box 363, Chocowinity, N.C.	Do.
Anderson, George F., Box 455, Bridgeton, N.C.	Do.	Bunting, Jessie M., Route 2, Box 503A, Greenville, N.C.	Do.
Anderson, Hilton D., Box 283, Chocowinity, N.C.	Do.	Bushhousen, L. M., Route 1, Blounts Creek, N.C.	Do.
Anderson, John, Jr., Genl. Del., Bridgeton, N.C.	Do.	Butler, Marian Franklin, Route 3, Dunn, N.C.	Do.
Anderson, Joseph R., Box 113, Bridgeton, N.C.	Do.	Butler, Shelton Richardson, Route 3, Dunn, N.C.	Do.
Anderson, Larry, Route 1, Farmville, N.C.	Do.	Byerly, Willis A., 414 Hodgkin St., High Point, N.C.	Do.
Anderson, Pete, Route 1, Box 134, New Bern, N.C.	Do.	Carter, Luther, 827 Argo St., Goldsboro, N.C.	Do.
Askew, Lonnie E., 808 Champion St., Henderson, N.C.	Do.	Carter, Raeford W., Route 1, Blounts Creek, N.C.	Do.
Ayscue, John Scott, Route 1, Henderson, N.C.	Do.	Champion, Charlie S., Jr., 321 Ranco Dr., Henderson, N.C.	Do.
Barber, Wilbert J., 503 Herring St., Clinton, N.C.	Do.	Clark, A. E., Clark's Bird Game Farm, P.O. Box 241, Beulaville, N.C.	Do.
Barbour, Lue Esther, Route 1, Coats, N.C.	Do.	Clark, Douglas A., P.O. Box 241, Beulaville, N.C.	Do.
Barbour, Thomas E., Route 1, Coats, N.C.	Do.	Clark, Joe H., 432 Cedar St., Henderson, N.C.	Do.
Barebot, James Dewey, Route 8, Dunn, N.C.	Do.	Clark, John Archie, Jr., Box 555, Zebulon, N.C.	Do.
Barebot, R. E., Route 2, Benson, N.C.	Do.	Coats, Joseph Sherrill, Route 3, Dunn, N.C.	Do.
Barnhill, Donald M., Genl. Del., Atkinson, N.C.	Do.	Coker, Joe, Route 1, Whitakers, N.C.	Do.
Barringer, Melvin L., 305 Union Hgts. Blvd., Salisbury, N.C.	Do.	Comer, William Thomas, P.O. Box 255, Norlina, N.C.	Do.
Bass, Jerry Dawson, 500 N. Wilson Ave., Dunn, N.C.	Do.	Cooley, Ervin, Route 3, Box 25, Elm City, N.C.	Do.
Bass, Sherrill F., 500 N. Wilson Ave., Dunn, N.C.	Do.	Corbett, F. M., Route 1, Box 113, Fountain, N.C.	Do.
Bates, David, Route 2, Box 291, China Grove, N.C.	Do.	Corrher, Carrie M., Route 4, Box 544, Salisbury, N.C.	Do.
Beasley, Elmer, Route 7, Raleigh, N.C.	Do.	Council, Jessie A., Route 3, Box 508, Williamston, N.C.	Do.
Blalock, Jack H., Box 602, Apex, N.C.	Do.	Cox, Robert A., Box 136, Blounts Creek, N.C.	Do.
Boggs, Garland Gene, Route 3, Williamston, N.C.	Do.	Cox, Walter T., R.F.D. 5, Lexington, N.C.	Do.
Bowen, Allen T., Route 1, Box 516, Ayden, N.C.	Do.	Cox, Zennie, Box 93, Apex, N.C.	Do.
Brantley, Cornelius F., Box 13, Bunn, N.C.	Do.	Crowder, John W., 403 Penny Street, Garner, N.C.	Do.
Brantley, David P., Route 2, Zebulon, N.C.	Do.	Crowell, Arthur Lee, 121 N. Clay Street, Salisbury, N.C.	Do.
Brantley, Frances C., P.O. Box 13, Bunn, N.C.	Do.	Crowell, Mary Ann, 121 N. Clay Street, Salisbury, N.C.	Do.
Brigman, Nancy B., 304 Mendeta Ave., Lexington, N.C.	Do.		
Brown, Robert H., 2223 Rumson Rd., Raleigh, N.C.	Do.		

Name and address of applicant	Name and address of unit	Name and address of applicant	Name and address of unit
Curlings, John W., 1412 W. Gold Street, Wilson, N.C.	Capital City Restoration Assn., P.O. Box 10484, Raleigh, N.C.	Hicks, James R., 218 Gary Street, Henderson, N.C.	Capital City Restoration Assn., P.O. Box 10484, Raleigh, N.C.
Davis, Alonzo Redd, Route 3, Raleigh, N.C.	Do.	Hilburn, James H., Route 7, Raleigh, N.C.	Do.
Davis, Kenneth W., 2202 S. William, Goldsboro, N.C.	Do.	Hinkle, Clyde V., 28 W. Green Street, Thomasville, N.C.	Do.
Dayvault, Frank, Route 1, Box 409, Kannapolis, N.C.	Do.	Hinton, James D., Route 1, Zebulon, N.C.	Do.
Deese, Robert W., Route 7, Box 237, Salisbury, N.C.	Do.	Hinton, James D., Jr., Route 1, Zebulon, N.C.	Do.
Demery, Joseph T., Jr., Route 3, Box 327, Tarboro, N.C.	Do.	Hoffman, David E., 1006 Lawrence Street, Sanford, N.C.	Do.
Duke, Anna G., Route 4, Box 1, Salisbury, N.C.	Do.	Holton, W.A., Route 1, Box 352, New Bern, N.C.	Do.
Dunn, Wilbur, Route 1, Box 327, Fountain, N.C.	Do.	Hope, Ruby Ray, 710 W. James Street, Raleigh, N.C.	Do.
Eason, Lester L., Route 3, Box 204, Tarboro, N.C.	Do.	Hudgins, G. M., 1001 S. Glenburnie Road, New Bern, N.C.	Do.
Edwards, Charlie, Box 74, Grimesland, N.C.	Do.	Hudgins, Robert E., 411 Dorothy Drive, Cary, N.C.	Do.
Emory, Ernest C., 824 Greenwich Street, Raleigh, N.C.	Do.	Humphrey, Stanley, 401 S. East R.R., Wallace, N.C.	Do.
Evans, Cullum N., 408 Montgomery St., Henderson, N.C.	Do.	Hunt, Andrew Jackson, 508 E. Franklin Street, Raleigh, N.C.	Do.
Fearrington, Paul E., Chapel Hill, N.C.	Do.	Hunt, B. R., South Church St. Ext., Rocky Mt., N.C.	Do.
Fields, John T., P.O. Box 1639, Durham, N.C.	Do.	Hurley, Euyless Grant, Route 5, Sanford, N.C.	Do.
Fisher, James, P.O. Box 321, Farmville, N.C.	Do.	Hurt, Paul T., Route 1, Box 139, Grantsboro, N.C.	Do.
Fisher, Sonny Jay, P.O. Box 321, Farmville, N.C.	Do.	Jackson, Henry, Route 3 (c/o A. C. Fowler), Dunn, N.C.	Do.
Flowers, Paul W., Route 4, Zebulon, N.C.	Do.	Jacobs, Dollie, 1010 Chester St., Durham, N.C.	Do.
Forsythe, Luther, Jr., Route 1, Knightdale, N.C.	Do.	Jernigan, George Alton, Route 5, Dunn, N.C.	Do.
Foshee, Alfred, Route 2, Bear Creek, N.C.	Do.	Jernigan, Robert H., Route 5, Dunn, N.C.	Do.
Foskey, Arnie, Route 4, Box 60B, Greenville, N.C.	Do.	Johnson, Arthur E., Route 2, Wake Forest, N.C.	Do.
Fowler, Willie, Route 1, Box 35, Clinton, N.C.	Do.	Johnson, David P., Route 2, Wake Forest, N.C.	Do.
Freeman, Velton Lee, Route 5, Sanford, N.C.	Do.	Johnson, Jesse, Route 2, Box 5A, Greenville, N.C.	Do.
Fulcher, David, Route 1, Ernul, N.C.	Do.	Johnson, Ned R., 615 Monroe Dr., Raleigh, N.C.	Do.
Garner, Preston N., Route 6, Sanford, N.C.	Do.	Jones, Charles E., P.O. Box 194, Bridgeton, N.C.	Do.
Gaskins, Luther Earl, Route 5, Box 300, New Bern, N.C.	Do.	Jones, Clara L., P.O. Box 194, Bridgeton, N.C.	Do.
Gaskins, Vernal, 1313 S. Washington, Greenville, N.C.	Do.	Jones, Edwin, Route 1, Mt. Olive, N.C.	Do.
Gladden, Samuel Leon, Route 3, Sanford, N.C.	Do.	Jones, James R., Box 321, Granite Quarry, N.C.	Do.
Godwin, Kenneth Wayne, Route 5, Dunn, N.C.	Do.	Joyner, Wiley G., Raleigh Rd. Ext., Box 557, Rocky Mt., N.C.	Do.
Griffin, Bobby A., Route 8, Box 99, Raleigh, N.C.	Do.	Kersey, Belvin, 419 Bizzell St., Clinton, N.C.	Do.
Halloman, Levi, 109 Parkview, Wilson, N.C.	Do.	Kidd, Eddie L., 918 Jackson St., Roanoke Rapids, N.C.	Do.
Halloman, Fatsy Rose, 109 Parkview, Wilson, N.C.	Do.	Kinton, Jerry S., Route 3, Sanford, N.C.	Do.
Hardee, Linwood, Route 2, Box 34, Farmville, N.C.	Do.	Kornegay, Herbert, Route 6, Gainey Dr., Goldsboro, N.C.	Do.
Harding, Berbie, Route 1, Chocowinity, N.C.	Do.	Kornegay, Marshall R., 4312 Wedgewood Dr., Raleigh, N.C.	Do.
Hardison, William E., Route 3, Dunn, N.C.	Do.	Lambert, Robert R., Route 6, Box 248(?), Goldsboro, N.C.	Do.
Harris, Amos M., Route 8, Box 345, Salisbury, N.C.	Do.	Lancaster, Lester R., 1103 Albemarle Avenue, Tarboro, N.C.	Do.
Hearn, Cleveland F., Box 6, Colon, N.C.	Do.		
Hefner, D. C., Sr., Route 2, Bear Creek, N.C.	Do.		
Herrin, John C., Parkers Drug Store, Henderson, N.C.	Do.		

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Leazer, Donald E., Route 3, Box 608, Salisbury, N.C.	Do.	Norris Willie Earl, Route 1, Box 118A, Garner, N.C.	Do.
Leonard, Arthur C., 517 E. Bank St., Salisbury, N.C.	Do.	Norville, Betty L., Box 63, Falkland, N.C.	Do.
Lewis, Henry, Route 1-70, Blounts Creek, N.C.	Do.	Norville O. L., Box 63, Falkland, N.C.	Do.
Lewis, Joseph, Jr., Route 1, Blounts Creek, N.C.	Do.	Nyberg, John H., 1423 Spencer Ave., New Bern, N.C.	Do.
Lewis, L. W., Route 1, Blounts Creek, N.C.	Do.	O'Dell, Cannon R., Route 1, Rockwell, N.C.	Do.
Lewis, Robert, Genl. Del. Elm City, N.C.	Do.	O'Neal, Linwood Earl, Route 2-P, Bailey, N.C.	Do.
Linton, Robert, 1901 B. Maple St., Goldsboro, N.C.	Do.	Outlaw, Oza Albert, 3153 Stanhope Ave., Raleigh, N.C.	Do.
Lockamy, Robert Dwight, 4312 Wedgewood Dr., Raleigh, N.C.	Do.	Overcash, David, 306 Union Hgts. Blvd, Salisbury, N.C.	Do.
Lovic, Lynn, 108 N. Waverly St., Farmville, N.C.	Do.	Parker, Chester, Route 5, Dunn, N.C.	Do.
Lowery, William T., 108 Hickory St., Lexington, N.C.	Do.	Partin, C. Allen, Box 47, Siler City, N.C.	Do.
Lucas, Willie Harold, Route 3, Dunn, N.C.	Do.	Peaks, Rannie, Route 2, Box 249, Williamston, N.C.	Do.
Lynch, Jimmy W., 478 E. Main St., Clayton, N.C.	Do.	Perry, Herbert M., Route 3, Zebulon, N.C.	Do.
Manning, Carl, 407 Perkins Ave., Greenville, N.C.	Do.	Perry, James L., 315 E. Whitaker Mill Rd., Raleigh, N.C.	Do.
Marks, Gordon A., 620 Burch Ave., Durham, N.C.	Do.	Pike, Nathan R., 1505 Aycock St., Wilson, N.C.	Do.
Mars, Grady B., Arcola Rural Sta., Warrenton, N.C.	Do.	Pippin, Marion Ray, Route 2, Box 618, Washington, N.C.	Do.
Marshburn, J. E., 2 Logan Court, Raleigh, N.C.	Do.	Pittman, Ernest, Route 1, Box 206, Enfield, N.C.	Do.
Martin, James K., R.F.D. 9-122B, Lexington, N.C.	Do.	Pittman, Vernon Ray, Route 1, Box 206, Enfield, N.C.	Do.
Mauney, Bessie M., Route 2 (28021), Cherryville, N.C.	Do.	Pollock, Donald R., 820 N. William St., Goldsboro, N.C.	Do.
Mauney, Everette F., Route 2 (28021) Cherryville, N.C.	Do.	Poole, George R., P.O. Box 562, Thomasville, N.C.	Do.
McCracken, Francis O., 702 Grace St., High Point, N.C.	Do.	Powell, Eva Adkin, Route 2, Lucoma, N.C.	Do.
McCracken, Verlon, 710 Paramount St., High Point, N.C.	Do.	Powell, Lee, Route 2, Lucoma, N.C.	Do.
McCubbins, William R., 709 7th St., Spencer, N.C.	Do.	Powell, Walter Lee, Route 2, Lucoma, N.C.	Do.
McDuffie, William Douglas, Route 1, Biscoe, N.C.	Do.	Poythress, Forest, 110 N. Main Street, Laurinburg, N.C.	Do.
Memory, George A., 413 Denny St., High Point, N.C.	Do.	Price, Johnnie A., 306 Murray St., Goldsboro, N.C.	Do.
Moore, Cecil E., Route 2, Dover, N.C.	Do.	Proctor, Charlie R., Route 2, Zebulon, N.C.	Do.
Morris, David F., P.O. Box 172, Knightdale, N.C.	Do.	Raper, Richard, 3815 Burt Dr., Raleigh, N.C.	Do.
Morris, Herbert Bolt, Route 2, Box 12, Halifax, N.C.	Do.	Reaves, Robert L., 114 Falkner St., Henderson, N.C.	Do.
Morris, John F., Ernul, N.C.	Do.	Rich, Edward F., Route 3, Kinston, N.C.	Do.
Moses, Jerry, Route 3, Pittsboro, N.C.	Do.	Richardson, Flora L., 510 E. Maple Ave., Gastonia, N.C.	Do.
Murchison, William Harold, Jr., Box 71, Goldston, N.C.	Do.	Richardson, Louie L., 510 E. Maple Ave., Gastonia, N.C.	Do.
Murray, Jack C., 3012 E. Geer St., Durham, N.C.	Do.	Ritter, Norwood, Route 1, Pikeville, N.C.	Do.
Murray, Jack C., Jr., 306 S. Benjamin St., Durham, N.C.	Do.	Rivers, Wayne, 529 Rowland St., Henderson, N.C.	Do.
Murray, Jesse W., 829 Argo St., Goldsboro, N.C.	Do.	Robbins, William Edward, Jr., P.O. Box 57, Wilson, N.C.	Do.
Narron, Ishmael W., Box 242, Knightdale, N.C.	Do.	Rogers, Gerald V., 2938 N. Blvd. Raleigh, N.C.	Do.
		Ruffin, Herman, 1207 Herring Ave., Wilson, N.C.	Do.

Name and address of applicant	Name and address of unit	Name and address of applicant	Name and address of unit
Russ, James O., Route 3, Sanford, N.C.	Capital City Restoration Assn., P.O. Box 10484, Raleigh, N.C.	Turnage, J. H., Route 3, Wilson, N.C.	Capital City Restoration Assn., P.O. Box 10484, Raleigh, N.C.
Sandlin, Fred, Route 2, Beulaville, N.C.	Do.	Tutor, Bobby R., 702 Hamilton [sic] Rd., Raleigh, N.C.	Do.
Sauter, J. E., 2708 Jefferson Dr., Greenville, N.C.	Do.	Wagner, Donald E., 23 West Green St., Thomasville, N.C.	Do.
Sechrest, James L., 803 Kindberry, Lexington, N.C.	Do.	Wainwright, Jim W., Route 1, Box 172A, Fountain, N.C.	Do.
Seymour, Earl E., 221 Grand Ave., Raleigh, N.C.	Do.	Watkins, Wade C., 517 Holloway St., Durham, N.C.	Do.
Shackelford, James, Route 2, Box 61, Farmville, N.C.	Do.	Watson, Shelby R., 105 Olive Ave., Lenoir, N.C.	Do.
Sharpe, Reno C., Route 2, Box 103, Bear Creek, N.C.	Do.	Webber, Cooper, Jr., Apt. 6, St. Andrews St., Tarboro, N.C.	Do.
Sherrick, Myrtle A., P.O. Box 244, Tarboro, N.C.	Do.	Webber, Phillip J., 1004 Poplar St., Tarboro, N.C.	Do.
Sherron, James, 511 Oakwood Ave., Raleigh, N.C.	Do.	Wells, Redmond, Route 4, Box 322, Wilson, N.C.	Do.
Skol, Walter L., Route 3, China Grove, N.C.	Do.	Weston, Durwood S., Route 2, Box 207, Blounts Creek, N.C.	Do.
Smith, Joseph T., Route 1, 61A, Farmville, N.C.	Do.	Whitley, Charlie B., 478 E. Main St., Clayton, N.C.	Do.
Smith, Matthew C., Route 5, Lexington, N.C.	Do.	Wilcox, James P., P.O. Box 51, New Bern, N.C.	Do.
Smith, Ronald C., Route 1, Farmville, N.C.	Do.	Williams, Ernest, Route 4, Dunn, N.C.	Do.
Smith, William E., Box 86, Wendell, N.C.	Do.	Williams, Robert H., 307 Jackson St., Roanoke Rapids, N.C.	Do.
Stamey, William Harold, Route 1, Knightdale, N.C.	Do.	Williamson, Earl C., Route 2, Box 89, Williamston, N.C.	Do.
Stephenson, E. H., Route 1, Enfield, N.C.	Do.	Wilson, Alex Cullom, P.O. Box 311, Apex, N.C.	Do.
Stewart, John F., Route 2, China Grove, N.C.	Do.	Wilson, Fred L., 610 Little St., Salisbury, N.C.	Do.
Strickland, Leroy, P.O. Box 65, Saratoga, N.C.	Do.	Winecoff, Barrett A., Route 7, Box 498, Salisbury, N.C.	Do.
Surles, Alfred T., Box 182, Micro, N.C.	Do.	Winstead, Henry C., S. Goldsboro St., Wilson, N.C.	Do.
Sutton, Edward E., Route 2, Box 14, Newton Grove, N.C.	Do.	Woods, Darrell A., 805 Park St. Smyre, Gastonia, N.C.	Do.
Tart, Garland D., Route 2, Benson, N.C.	Do.	Barnhill, Reginald Renno, 115 N. Dennis Street, Enfield, N.C.	Hallfax County Sportsman Club, Box 611, Enfield, N.C.
Tart, Lehmon, Route 2, Dunn, N.C.	Do.	Cuthrell, Ralph Donald, Jr., 413 Sherrod Heights, Enfield, N.C.	Do.
Taylor, C. P., Route 5, Kinston, N.C.	Do.	Johnson, J. Ryford, P.O. Box 166, Whitakers, N.C.	Do.
Taylor, Clifton E., Route 4, Box 197, Goldsboro, N.C.	Do.	Lucas, Herman Loyd, Enfield, N.C.	Do.
Taylor, Colonel B., Box 336, Pikeville, N.C.	Do.	Hudson, C. B., Route 1, Coats, N.C.	Hartnett County Improvement Association, P.O. Box 48, Dunn, N.C.
Taylor, James E., Route 1, Farmville, N.C.	Do.	Ranes, Ballard M., 116 Parker Street, Henderson, N.C.	Keystone Club, 1069 Henderson, N.C.
Taylor, John William, Route 3, Box 35, Elm City, N.C.	Do.	Carter, James D., P.O. Box 681, Kings Mountain, N.C.	Kings Mountain, N.C., No. 55, P.O. Box 681, Kings Mountain, N.C.
Teague, Edgar R., Route 2, Robbins, N.C.	Do.	Houston, Tom, Route 2, Pink Hill, N.C.	Limestone Fishing Club, P.O. Box 313, Beulaville, N.C.
Tilton, Edward L., Route 4, Raleigh, N.C.	Do.	Jones, A. V., Route 2, Pink Hill, N.C.	Do.
Todd, Brenda Gail, 203 Charlotte [sic] Ave., Sanford, N.C.	Do.	Kennedy, James D., Route 2, Pink Hill, N.C.	Do.
Todd, H. B., 203 Charlotte Ave., Sanford, N.C.	Do.		
Tolar, Nannie I., Route 1, Blounts Creek, N.C.	Do.		
Toler, Bill, Route 5, Box 166, New Bern, N.C.	Do.		
Tolson, Nellie P., 321 W. Main St., Thomasville, N.C.	Do.		
Tolson, Troy L., 321 W. Main St., Thomasville, N.C.	Do.		
Tripp, Troy L., 807 E. 6th St., Washington, N.C.	Do.		
Tucker, Melvin W., 200 No. Salisbury, Lexington, N.C.	Do.		

Name and address of applicant	Name and address of unit	Name and address of applicant	Name and address of unit
Biddle, Herbert McClammy, Sr., Box 124 Stokley Rd., Wilmington, N.C.	New Hanover Improvement Association, P.O. Box 1104, Wilmington, N.C.	Champlin, Connie M., Route 4, Box 169, Goldsboro, N.C.	No. 28, Goldsboro, N.C.
Cook, Jack Charles, 4208 Cedar Avenue, Wilmington, N.C.	Do.	Head, Ed Douglas, Route 6, Box 710, Goldsboro, N.C.	Do.
Elkins, Hubert Osmond, 309 Breckenridge Drive, Wilmington, N.C.	Do.	Marlow, Howard, 204 Westwood Drive, Goldsboro, N.C.	Do.
Shepard, J. T., 4112 Franklin Ave., Wilmington, N.C.	Do.	Sutton, Ross B., 1905 A E-Holly, Goldsboro, N.C.	Do.
Taylor, Lee M., Box 543, Wilmington, N.C.	Do.	Kernodle, James Woodrow, Route 2, Box 416, Durham, N.C.	Town and Country Sportsman Club, P.O. Box 244, Durham, N.C.
Freeman, Velton Lee, Route 5, Sanford, N.C.	No. 23, Sanford, N.C.	Ray, Floyd M., Box 858, Hillsboro, N.C.	Do.
Gains, Ernest Charles, Route 1, Sanford, N.C.	Do.	Robinson, Johnny Calvin, Route 2, Durham, N.C.	Do.
Rasser, Julian T., Route 1, Sanford, N.C.	Do.	Moseley, Linwood Earl, Route 1, Warrenton, N.C.	Warrenton Improvement Association, Norlina, P.O. Box 156, N.C.
Smith, Samuel P., P.O. Box 832, Sanford, N.C.	Do.		
Williams, Alton Leroy, 310 Hawkins Ave., Sanford, N.C.	Do.		

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 1

FRIDAY, OCTOBER 22, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, and Weltner.

Committee members also present: Representatives Richard H. Ichord, of Missouri, and George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will please come to order, and our guests in the audience will please be seated.

Call your first witness.

Mr. APPELL. Mr. Chairman, I would like to call the Reverend Jack Crum.

The CHAIRMAN. The photographers will have to retire from the room.

Please stand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRUM. I do.

TESTIMONY OF JOHN (JACK) HAMMOND CRUM

Mr. APPELL. Reverend Crum, will you state your full name for the record, please, sir?

Mr. CRUM. John Hammond Crum. I am known as Jack.

The CHAIRMAN. Now, Mr. Appell. Mr. Crum, we are aware of the fact that you are a minister of the gospel. I think the Chair ought to say this.

We are not interested or concerned with your or anyone else's religious, theological, philosophical, or political beliefs. We are not really concerned with your opinions or anybody else's opinions, likes, or dislikes.

You are here under subpoena as an individual, to give your first-hand knowledge concerning the facts which we regard as pertinent to the subject matter of this inquiry.

I think I ought to make that plain, because that is our standard procedure and policy.

Mr. CRUM. Yes, I understand that, Mr. Chairman.

The CHAIRMAN. All right, proceed.

Mr. APPELL. For the record, Reverend Crum, you are appearing this morning in response to a subpoena served upon you?

Mr. CRUM. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. CRUM. I am not.

Mr. APPELL. Do you desire counsel?

Mr. CRUM. No.

Mr. APPELL. Would you please give to the committee——

The CHAIRMAN. Would you speak a little louder, Reverend?

Mr. CRUM. Yes.

Mr. APPELL. Would you please give to the committee your educational background?

Mr. CRUM. I graduated from Emory University in Atlanta, Georgia, in 1951. I graduated from Duke University Divinity School in 1955. I believe that is right.

Mr. APPELL. What is your denomination, Reverend Crum?

Mr. CRUM. I am a Methodist.

Mr. APPELL. Were you in Farmville, North Carolina, on September the 26th of 1964?

Mr. CRUM. Yes, I was.

Mr. APPELL. Reverend, did you attend an open public meeting of the Ku Klux Klan in Farmville, North Carolina, on September 26, 1964?

Mr. CRUM. Yes, I did.

The CHAIRMAN. Now, as I understand, that was a public meeting. That was a public meeting?

Mr. CRUM. Yes, it was, Mr. Chairman.

The CHAIRMAN. And information was disseminated to that effect?

Mr. CRUM. Yes. A friend of mine in Farmville picked up—I don't have with me, but he picked up a piece of the information which said it was a public rally, and the white public was invited.

The CHAIRMAN. All right.

Mr. APPELL. And you attended that rally?

Mr. CRUM. Yes, I did.

Mr. APPELL. Would you relate your experiences at that rally, sir?

Mr. CRUM. May I refer to my notes?

Mr. APPELL. Yes, sir.

Mr. CRUM. All right.

I went, sir, with my wife and with the Reverend W. S. Taylor, Jr., and with Father Gordon Kendall. We drove out to the site of the rally, just outside Farmville, at the intersection of Highway 264-A and Highway 264.

Later, although we didn't realize it at the time, we found that this was just beyond the Pitt County line, and in Greene County, and I—perhaps this contributed to the policing problem, because the Farmville police could not come. We had expected them to be there.

As we drove up to the rally, what we thought, or what we wondered, what looked like National Guardsmen, directed us to drive off the highway into a field. I thought of staying on the highway, but they were motioning, and so I parked by car off the highway, in the field, as they directed.

Later, Patrolman McCullum of the Highway Patrol said that he also at first thought that these Klans' security guards were National Guardsmen, and they were dressed with military uniforms; with helmets, boots, and insignia, and Mr. Taylor, who accompanied me, said that he saw rifles and billy clubs, also, that some of the security guard possessed.

(At this point Representative Buchanan entered the hearing room.)

Mr. CRUM. We parked the car, and then walked around. I was dressed in a suit and a hat, and I think a raincoat that I have over here, a white raincoat. My wife had on a red topcoat, and I carried a camera, which was outside of my raincoat in full view. We went without pretense. I dressed as I normally do, as I dressed to come here, because the Klans' invitation was a public invitation.

We went to see, by experience, what the Klan meeting was like, for we had read about it in the press.

On one side was the speaker's stand, and on the left of the stand was an American Flag. On the right was the Confederate flag, and in the center was a large picture of Senator Goldwater. To one side of the stand was a large, roped-off field in which stood a telephone pole-sized cross. Robed Klansmen and Klanswomen. the helmeted security guards, and spectators were walking around the field.

Mr. Taylor, who became separated from me, saw a man surrounded by guards, that he saw his films taken from him, and that he was escorted off the field. I did not know about this until later, but apparently this was a newspaperman.

A Klansman also challenged me. This was before the rally actually began. He said, "Is that a camera?" I thought it looked like a camera. I said, "Yes." He said, "We don't allow pictures."

Well, I told him I would be glad to put the camera away. Then a green-robed Klansman—

The CHAIRMAN. When you say "he," do you know who he was?

Mr. CRUM. No, I do not know who this man was. He was robed.

Mr. POOL. Can you further identify him?

Mr. CRUM. Not this particular man.

Mr. APPELL. Was he dressed in a white robe?

Mr. CRUM. He was; yes. But at this particular time, when this other man was questioning me, a green-robed man said it would be all right for me to take a picture of the cross, if I had a security guard with me who monitored the pictures that I took.

As I recall, he said, "If anybody questions you, tell them Bob said it was okay." I didn't know who this was, but I later found out that this man was Grand Dragon J. R. Jones, from Granite Quarry.

Now, I told the security guard who had been assigned to me, apparently, because he followed me everywhere I went, that I thought it

would be better if I put the camera back in the car, as I hadn't come to cause trouble at the Klan rally. He wouldn't reply to me. He wouldn't smile; he would only follow and look at me. But I decided that I would put the camera back in my car.

After all, my wife was present. I had come to a public rally. I hadn't come to get in a fight. So I went back to my Volkswagen and raised the hood and put the camera in the trunk.

One robed Klansman walked along beside me and said, "If you do"—that is, if you do take pictures—"that camera won't be here, and you are liable to be beaten up, too."

I do not know the name of this man.

The CHAIRMAN. Was he robed?

Mr. CRUM. Yes, he was.

I rejoined my wife and Father Gordon Kendall, at that time. The rally was opened with an invocation, and in the prayer, there was an appeal, the Lord's Prayer.

The CHAIRMAN. Reverend—

Mr. CRUM. Yes?

The CHAIRMAN. I would prefer that you don't indulge in descriptions of religious expressions. In fact, you used the name of one man; I am sorry you did.

Mr. CRUM. I am sorry.

The CHAIRMAN. I know, you were describing the platform.

Mr. CRUM. Yes.

The CHAIRMAN. All right.

Mr. CRUM. Can I delete that part of the testimony, or what is the procedure?

The CHAIRMAN. Well, we have given it too much prominence at that. That's all.

Mr. CRUM. I will try to be careful.

Now let me ask, Mr. Chairman, about another matter. At this time, as I said—

The CHAIRMAN. There was an invocation?

Mr. CRUM. Yes.

The CHAIRMAN. All right; that's proper.

Mr. CRUM. Then a man, a young man, who said he was from Wilson, spoke. Now, would you like for me to tell anything at all about what he said? I want to cooperate with the committee here. I have a very little bit, but it might be—

The CHAIRMAN. Will you desist for a moment?

(The subcommittee conferred off the record.)

The CHAIRMAN. I think it would be appropriate, if that is the case. I don't know what you are about to say.

Mr. CRUM. Yes.

The CHAIRMAN. Wait a minute. Let me put it this way—

Mr. CRUM. Yes, sir.

The CHAIRMAN. If it is true, or if you had in mind saying it, that there were exhortations to violence, fine, but I would prefer for you not to go into a description of racial or political or current issues. If there were exhortations to violence, give a general description in that sense, but I prefer that you not go into political issues, racial issues, because I am interested in what happened to you.

Mr. CRUM. Yes, right.

Well, what I was about to say, perhaps, might include names of people that were ridiculed.

The CHAIRMAN. Well—

Mr. CRUM. It might be past issues now. This was a year ago.

The CHAIRMAN. Well—

Mr. POOL. Mr. Chairman, I don't think that he ought to just have a carte blanche to name off people that were at this rally. The investigator might question him. Would that be better?

The CHAIRMAN. Suppose you respond to questions directed at you.

Mr. CRUM. Yes.

Mr. APPELL. Reverend Crum, after the speeches were made, what was the next course of action that was followed at the rally?

Mr. CRUM. Well, things happened during the rally which, after a couple of speeches were made, the security guard had been following me, apparently was displeased with something my wife was carrying. It was a small telescope. I brought it with me, so we said, well, we didn't want to cause trouble. We went and put it in the car.

But then one of the men dressed as a security guard came up to us, while we were at the car, and we were surrounded by, I guess, I don't know an exact number, I would say 15 of these security guards, and this man said, "We will have to have the film in that camera," referring to the camera that I had previously put in the trunk of the car.

I told him that I hadn't taken any pictures, and that I had put the camera up.

The CHAIRMAN. And you declare under oath that you had not taken any pictures?

Mr. CRUM. Yes, I did.

Mr. POOL. You do. You do declare under oath that you did not take any pictures.

Mr. CRUM. Yes, I do—at this rally. That is what you mean.

The CHAIRMAN. I understand.

Mr. CRUM. Yes. I told him that the pictures that were in the camera were vacation pictures, and, of course, I would like to keep those pictures for their sentimental value.

He replied—and I understood him to be, although I do not know his name—the chief or head security guard at that particular rally—he said, "We want that film." Now they were very positive. I took them to be menacing.

About that time, my two friends, Father Gordon Kendall and Mr. Taylor, came up. Father Kendall demanded, "Where is your warrant?" which I thought was an appropriate question. They did not reply to his question, however. I told them that I would cooperate in opening the trunk of the car, and that I would give them the film. After all, under those circumstances, with my wife beside me, I did not want to get into a fight, and as I said, I came to observe.

I asked if they would send the film back to me. I told them I was here as an open person, would be glad to give them my name and my address, which I did.

While I was doing that, one man—

The CHAIRMAN. Well, now, wait a minute. Did you say—I misunderstood you. Did you say that you offered to surrender, or you did not offer to surrender the film?

Mr. CRUM. Yes. I realize this is an important point. Let me try to get it clear.

The CHAIRMAN. Yes, I missed that.

Mr. CRUM. They demanded of me the film out of that camera. Well, I had the choice, it looked to me like, of opening the trunk voluntarily, and either giving them the camera or keeping my camera and taking the film out of it, and giving it to them, or of having it forced in some way, so I regarded this as force. But I submitted to them. I said, "I will cooperate and give you the film,"—

The CHAIRMAN. All right.

Mr. CRUM. —which I took out of the camera myself and handed to the head security guard. I asked him if he would return the film, which he said he would, when they had ascertained that it was not of the Klan rally, but I have never received it.

The CHAIRMAN. All right.

Mr. CRUM. Are there further questions?

Mr. APPELL. Did they just accept the film from you, and then leave you alone, and let you proceed upon your way?

Mr. CRUM. No, sir.

Mr. APPELL. What action, then, was taken by them?

Mr. CRUM. Well, they wanted to search the trunk of the car, but apparently, Mr. Chairman, they did not want to put their hands into the trunk of the car. This may be a technical legal point. So they stood outside the trunk, and they pointed, and they said, "What is that?"

No, first they said, "What was that other thing you put in the trunk of the car?" They were referring to the telescope.

The CHAIRMAN. Yes.

Mr. CRUM. And so my wife leaned in the trunk and took it out and gave it to them. They opened it up and pulled it out of the case and saw that it was only a telescope, put it back in, and gave it back to us.

Would you want me to tell a humorous bit?

Mr. APPELL. Yes, go right ahead.

Mr. CRUM. My wife was pretty peeved by this time. She leaned in the trunk of the car where she had an extra pair of shoes and stuck out a shoe and said, "Here, you want to search this, too."

The CHAIRMAN. Proceed.

Mr. APPELL. After this, did you leave or did you return to the rally for the purpose of hearing additional speeches?

Mr. CRUM. Well, we observed the attitude which we had tried to observe the whole time, sir, that we had come to a public rally, that we had every right to be there, by their invitation, and that we wanted to observe, and to see, and so we stayed. We stayed until about the end of the rally.

Mr. APPELL. After the speeches, and you were attempting to leave—

The CHAIRMAN. Well, about the speeches, let me ask you the direct question, in a general way: Were there exhortations to violence and reference to racial issues? Just answer the question.

Mr. CRUM. There was certainly reference to racial issues, and by "violence," this I would take to be more implied.

The CHAIRMAN. All right. That is enough. That is fine.

Mr. APPELL. As you returned to your car, were you again approached by the Klan's security guard?

Mr. CRUM. Yes. Mr. Chairman, we were approached at the end of the rally by people who were giving out literature, which I will be glad to submit to the committee, if you would desire.

The CHAIRMAN. Well, we will receive it and take a look at it.

(Documents marked "Jack Crum Exhibit No. 1" and retained in committee files.)

Mr. POOL. You say after the rally?

Mr. CRUM. Well, no, toward the close of the rally this was given out. About the time it was about to adjourn, but it hadn't formally adjourned.

The CHAIRMAN. All right.

Mr. CRUM. We did proceed to the car, or we started to proceed to the car, Mr. Chairman. I think one of us said, "Well, let's go" to the others, and we turned around to go. We saw behind us the security guard that had been with me—I think it was the same one—ever since we had been there. He said, "You are not going anywhere."

The CHAIRMAN. Was that the same individual who had been following you, or was it someone else?

Mr. CRUM. Well, I could not definitely say, but I think so. It was a security guard, dressed in one of the uniforms.

Mr. POOL. Did he have a mask on?

Mr. CRUM. No, sir; North Carolina law does not prohibit masks.

Mr. WELTNER. North Carolina law what?

Mr. CRUM. As I understand it, North Carolina law does not—does prohibit masks. I am very sorry. Thank you for that correction. Does not allow masks, is what I should have said.

Mr. POOL. You couldn't identify the faces. It was too hard, and you saw too many of them. Is that the idea?

Mr. CRUM. Of these particular men; that is true.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. CRUM. Well, we were, of course, upset. The crowd was beginning to leave, and naturally, we did not want to stay. Father Gordon Kendall, as I recall, I think, said, "This is a free land, and we are going," and he started off, and we all started walking, despite what the security guard had said. At this, the security guard blew his whistle, and we were very quickly surrounded by a good number of the security guards, and we were stopped.

We did not know, we were not told, why we were being detained against our wills, upon this property.

Mr. POOL. How did they stop you?

Mr. CRUM. They surrounded us, as a group, from all sides. If we had proceeded, we would have had to push them out of the way.

The CHAIRMAN. All right.

Mr. CRUM. In a few minutes, a man who was called Bob, dressed in a brown sweater, appeared.

Mr. POOL. I didn't get the last word.

Mr. CRUM. A man who was called Bob, dressed in a brown sweater, without a robe, appeared. I recognized him as Grand Dragon J. R. Jones.

He asked about the camera, and we told him what had happened. He said that we were not being threatened. I replied, "One man threatened to beat me up." He asked "Was it a robed Klansman?"

"Yes," I answered. "A man"——

The CHAIRMAN. Now who is "he" in this instance?

Mr. CRUM. Grand Dragon J. R. Jones.

"Yes," I answered, "a man in a white robe." He replied, "If a Klansman said he would beat you up, you had better watch out, for he will do it."

Mr. APPELL. Did Jones then leave, and did the security guard disperse itself, or did they continue to harass you?

Mr. CRUM. Jones left for a few minutes, I do not know why, but then he returned, and we were kept there until he returned. When he came back, he asked Mr. Taylor, the Reverend Mr. Taylor, if he would allow him to search him. Well, again, I don't know the legal terms of the matters here. I am a layman. But with the security guards all around us, and with the crowd leaving the field, Mr. Taylor felt that he was forced to consent by saying "Yes, you can search me," rather than by resisting. He felt he was forced.

He emptied his pockets, at the Grand Dragon's direction. When he refilled them, he also put his glasses in his pocket, which my wife noticed, but I didn't, for he felt like we might be in real trouble, and might have a fight.

Jones then ran his hands down the sides of the Reverend Mr. Taylor, feeling his pockets.

Mr. APPELL. Is this the normal way that you would, like, shake a man down, if you were looking to see if he had any concealed arms or weapons or other instruments on him?

Mr. CRUM. I don't know much about this kind of thing, but I assume so; yes, sir.

The CHAIRMAN. It is what they call "frisking."

Mr. CRUM. Yes, sir.

Mr. APPELL. And this man was the Reverend Mr. Taylor?

Mr. CRUM. Yes, sir.

Mr. APPELL. Yes.

Mr. CRUM. He did not find anything, and Jones told the guards to get us off the field, and at that, we went back to the car.

Mr. APPELL. Now, were you immediately able to drive away, or did you find that you had some additional harassment to you which was unknown to you? Before that, did they require you to empty your pockets, and did they frisk you?

Mr. CRUM. No, they did not.

The CHAIRMAN. How about the third man who was with you?

Mr. CRUM. Father Kendall? No.

Mr. POOL. Father Kendall was not searched.

Mr. CRUM. No, he was not.

Mr. APPELL. But, of course, as I understand, Father Kendall was dressed in slacks.

The CHAIRMAN. Well, it wouldn't make any difference. He wasn't frisked. Proceed.

Mr. APPELL. What did you discover when you returned to your car?

Mr. CRUM. Well, we got in the car, and started driving off, and

then it looked like the car was not going along very well, so we got out and looked, and two of the tires had been partially deflated. At that, Father Kendall and Mr. Taylor stayed outside the car, and ran along beside it until we got the car to the highway, where there was a highway patrolman and sheriff's deputies who stayed with us until we had changed one of the tires.

Mr. APPELL. These acts were carried out against you and your companions as you have testified under oath with apparently no provocation on your part, or the part of your companions?

Mr. CRUM. There was no provocation except that they didn't know who I was, recognized me as someone they did not know, I suppose.

Mr. APPELL. Did you have other experiences in your life of which you made a comparison between your treatment at the Klan rally and your treatment that you had experienced previously?

Mr. CRUM. Well—

The CHAIRMAN. Mr. Appell, I don't know what that opens up. We don't want any generalities.

Wait a second.

(The subcommittee conferred off the record.)

The CHAIRMAN. Withdraw that question.

Mr. APPELL. I withdraw the question.

Did you make a tour of the Soviet Union?

The CHAIRMAN. Withdraw that question.

Mr. APPELL. I have no further questions. Mr. Chairman.

Mr. POOL. I have no questions.

Mr. WELTNER. Mr. Crum, how long were you detained at the Klan rally at Farmville, North Carolina?

Mr. CRUM. Not a long time, sir. I would say 10 to 15 minutes, but I know—I didn't keep a record.

Mr. WELTNER. How many security guards surrounded you on the first instance, when you were trying to move to your car?

Mr. CRUM. I have estimated it as being about 15.

Mr. WELTNER. Thank you.

Mr. CRUM. I am not sure. There were, as I recall, someone counted over 30—30 to 40 security guards on the field.

The CHAIRMAN. Could you estimate or did you try to estimate the numbers of people at the rally?

Mr. CRUM. I can give one accurate figure. Yes, the accurate figure—

The CHAIRMAN. Well, your best estimate, within your knowledge.

Mr. CRUM. There were about 85 robed Klansmen at the time they put on their robes and circled the cross, and then there were other people, of course, who were unrobed. I would have said—I hesitate, but not too many. I hesitate to give a figure. I am not very good at estimating, but not very many. Say a couple of hundred more.

The CHAIRMAN. That is the kind of figure that a witness is expected to give, an honest estimate. That is all right.

Any questions?

Mr. BUCHANAN. No.

The CHAIRMAN. Are there any facts relating to yourself, within your knowledge, occurrences affecting you or your group other than those you have related in general terms?

Mr. CRUM. I am not——

The CHAIRMAN. I mean, were there other, if there were things such as further threats, if there were threats, and further detention or further details along that line, within the framework of what we have been talking about?

Mr. CRUM. Well, there have been telephone calls to me and to friends of mine, and to some of those who went to this particular rally with me——

The CHAIRMAN. That is pertinent.

Mr. CRUM. —of a threatening nature.

The CHAIRMAN. That is pertinent. After the rally?

Mr. CRUM. Yes. Not a great many to me personally, let me say, but to others.

The CHAIRMAN. Let's say to you. You did receive phone calls?

Mr. CRUM. Yes, but not many.

The CHAIRMAN. Well, was there one?

Mr. CRUM. Yes, we will say one.

The CHAIRMAN. Or two or five?

Mr. CRUM. Yes. Right.

The CHAIRMAN. What was the general tenor of the phone calls? Were they in the nature of admonitions or threats or things of that kind?

Mr. CRUM. Generally, they were "You better not do this kind of thing again. You had better not say the things you have been saying about the Klan."

Mr. POOL. This was after the rally?

Mr. CRUM. Yes. But I wouldn't put a lot of importance on this.

The CHAIRMAN. And it is within your personal knowledge that others of your acquaintance received others and more telephone calls of that nature?

Mr. CRUM. I can refer to a man that was referred to in the testimony yesterday, in Raleigh, Frank Hutchinson.

The CHAIRMAN. His name was brought up?

Mr. CRUM. Yesterday, and he has received many more calls than I have.

The CHAIRMAN. And they were along the lines you have indicated.

Mr. CRUM. Yes.

The CHAIRMAN. We do sincerely appreciate your coming here, and we regard your experience, your first-hand knowledge, as being pertinent to the inquiry into the subject matter of this investigation. We appreciate your appearing.

Mr. CRUM. Yes, sir; you are welcome.

The CHAIRMAN. Call your next witness.

Mr. APPELL. Mr. Chairman, I would like to call Joseph G. DuBois.

Mr. DuBois, will you remain standing while the chairman administers an oath, please?

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DuBois. I do, sir.

TESTIMONY OF JOSEPH G. DuBOIS

Mr. APPELL. Mr. DuBois, will you bring the mike in to you?

Mr. DuBois, are you appearing before the subcommittee today in accordance with a subpoena served upon you by a United States marshal at 10:55 a.m. on the 12th day of October 1965?

Mr. DuBois. Yes, sir.

Mr. APPELL. Mr. DuBois, are you represented by counsel?

Mr. DuBois. No, sir.

Mr. APPELL. Did you desire counsel?

Mr. DuBois. No, sir.

Mr. APPELL. Mr. DuBois, what is your educational background, sir?

Mr. DuBois. May I have a drink of water, please? I haven't been this nervous since just before going into action on Guadalcanal.

The CHAIRMAN. That is all right. Take your time.

Mr. DuBois. Repeat the question, sir.

Mr. APPELL. Would you give us your educational background, please, sir?

Mr. DuBois. Yes, sir.

At an early age, in my teens, my mother and father were separated; they separated. At the age of 15—I have a younger sister—I had to take over support of the family. I had to quit school. I went into CC Camps—most of you gentlemen know what that is—to support my mother and my sister. I had no one to turn to.

After that, while I was in the CC Camp, a Marine recruiter came through; I saw my 16th birthday.

The CHAIRMAN. What grade did you go to? The fact that you have little education is unimportant. We want it for the record. I might say that I have some folks who are uneducated.

Mr. DuBois. If you would let me continue, sir, I think I will answer all your questions.

The CHAIRMAN. All right.

Mr. DuBois. I went into the Marine Corps at the age of 16, after I saw my 16th birthday. I was—a Marine recruiter came through the CC Camp, recruiting Marines. He told me that I could finish my education in the Marine Corps, and learn a trade, so I immediately joined the Marine Corps. I took my training, sir—

Mr. APPELL. May I interrupt you, sir? At what year is that?

Mr. DuBois. This is approximately March 28, 1941. I have documented proof on that, sir.

Mr. APPELL. All right. Now, while you were in the Marine Corps, did you earn what we would call a high school equivalent certificate?

Mr. DuBois. No, sir. Soon after I joined the Marine Corps I was—the war broke out, approximately 9 months. I was with the Fleet Marine Force, which is the fighting unit of the Marine Corps ground units.

Mr. APPELL. We will get to that under your occupational—

The CHAIRMAN. Just answer the question. It will be easier for you. He has notes.

Mr. DuBois. All right, fine.

My 2 years, after I was—in 1948, I went back to night school and completed my high school education, sir.

Mr. APPELL. Thank you very much.

Now, would you please outline for the committee briefly your occupational background?

Mr. DuBois. Yes, sir. After going back to night—after finishing, going to night school to finish my education, I was offered a position with a B. F. Goodrich Company tire company. They had checked my records in the school, and they wanted to help me, and I went to Charlotte, North Carolina, with the B. F. Goodrich Company and took training in budget management.

The CHAIRMAN. That was when?

Mr. DuBois. Approximately '49, '48 and '49, somewhere in that neighborhood.

The CHAIRMAN. Let's go back a little bit, Don. Let's go back to his period of service, in the Armed Forces.

Mr. APPELL. Yes, sir. What year did you join the CC Corps?

Mr. DuBois. I don't know the exact date, sir, because I never did receive a discharge, since I went to the Marines, in the forties.

Mr. APPELL. Approximately how long?

Mr. DuBois. Approximately 9 months. We had 6 months' service, and I was starting on my second hitch, and the reason I did that, I sent all my money home to my mother and my sister to live off of—

Mr. APPELL. And then you joined the Marine Corps.

Mr. DuBois. The Marine Corps; yes, sir.

Mr. APPELL. All right. Now, what period of time were you in the Marine Corps?

Mr. DuBois. I was in the Marine Corps, sir, from March 28, 1941. I was discharged January 26th of 1944, by reason, upon report of a medical survey for disability, with character excellent.

Mr. APPELL. Now, I want to give you the opportunity to put into the record as a part of your employment what service you contributed to your country as a member of the Marine Corps.

Mr. DuBois. Sir, my record speaks for itself. On the bottom of this discharge is listed battles, engagements, skirmishes, and expeditions, and half a page are filled, here. You may inspect it.

Pass it to the chairman, sir.

The CHAIRMAN. Wait a second.

Well, this lists very many engagements. I see you were in the Samoan Islands, May 8th to September 4, 1942; the Solomon Islands, September 18, 1942 to January 5, 1943; Australia, January 12 to July 31, 1943; and you were under Japanese naval bombardment, vicinity of the mouth of the Lunga River, Guadalcanal, for a stated period of time here.

Skirmishes with the Japanese armed forces, vicinity of Pioneer Bridge, Lunga River, Guadalcanal, another period of service, 1942, battle of the Japanese Army Forces, vicinity of Mbalo, Guadalcanal area, and vicinity of Point Cruz, Guadalcanal, another engagement, and First Marine Division, operations against the Japanese Army, Unit A. Guadalcanal area, under enemy naval bombardment in October 1942, on Guadalcanal.

Participated in defense of Sector No. 3 in that area, action against Japanese forces in other areas of Guadalcanal engagements, and so on.

It is quite an impressive service. I will tell you that.

Mr. POOL. Is that the First Marine Division?

Mr. DuBOIS. Yes, sir.

Mr. POOL. I had a nephew.

Mr. DuBOIS. Here is the hometown paper that was put out while I was overseas.

Mr. POOL. I had a nephew in that same outfit.

Mr. DuBOIS. Thank you, sir. I would like for that to be——

The CHAIRMAN. By the way, this is not theatrics. The audience should understand that.

Here is a picture apparently on the front page called "Goldsboro Boy Gets Nine Japs At One Whack."

Mr. DuBOIS. Yes, sir.

The CHAIRMAN. Congratulations.

Mr. DuBOIS. Gentlemen, here is a writeup after I came back from Guadalcanal. I participated while I was in the hospital in California, some movie stars and other people were entertaining troops, came by the hospital, and they requested that I be able to go with them on the Third War Bond Drive. At that time it was the Third War Bond Drive. In that bottom, you will read it, sir, they gave me credit for selling \$500,000 worth of war bonds. That is in the bottom part of that writeup, sir.

The CHAIRMAN. Well, here are some of the headings of the papers. "Corporal Joseph DuBois Found Guadalcanal Hot Spot." Another one headed "Corporal DuBois Had 10 Attacks Through Flak," and many others.

Mr. DuBOIS. Gentlemen, I am not bragging. I didn't bring this information up here to be bragging. I would like to—I feel that my integrity and loyalty has been questioned.

The CHAIRMAN. All right, we will come to that.

Mr. APPELL. Mr. DuBois, we will give you an opportunity.

The CHAIRMAN. Just respond to his questions.

Mr. DuBOIS. All right.

Mr. APPELL. We will give you an opportunity to say whatever you would like to say for the record, sir.

Mr. DuBOIS. Do you have my discharge, sir?

Mr. ICHORD. Right here.

Mr. APPELL. Mr. DuBois, I wondered if when you return if you would have a copy of that discharge made and forwarded to us for the record, please.

Mr. DuBOIS. I will, sir.

(Document marked "Joseph DuBois Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Mr. DuBois, then, after you got out of the Marine Corps you went to night school and then you had further employment.

Mr. DuBOIS. Pardon me. I would like to make one statement, please.

All during this time, while I was overseas fighting, I was sending home money to my mother and sister to live on. They had no welfare help, no help whatsoever, except what I sent them. I would like that part of the record, sir.

The CHAIRMAN. I commend you. He will develop the facts.

Mr. DuBois. Thank you, sir.

The CHAIRMAN. He interviewed you, and he will develop the facts.

Mr. DuBois. Thank you, sir. All right.

Mr. APPELL. Now, in order that the record follow a chronology, after discharge you said that you went to night school for education, so I assume that you took some kind of employment immediately after discharge.

Mr. DuBois. Yes, sir. With the B. F. Goodrich. Pardon me. Immediately after discharge, the mayor of our town, Mr. Scott Berkeley, who is deceased now, escorted me personally to the local air base to apply for a job, not a position. My first starting salary was \$1500, as a mechanic's helper.

Mr. APPELL. And then——

Mr. DuBois. I worked there until 1946.

Mr. APPELL. And then is it 1946 when you joined the B. F. Goodrich Company?

Mr. DuBois. Yes, sir; approximately. Sorry.

No. Well, '46, '7—there is a small length of time in there I worked with Sears, Roebuck in the Budget Department.

Mr. APPELL. Then how long did you remain employed with B. F. Goodrich Company?

Mr. DuBois. I am not sure, sir.

Mr. APPELL. But just your best estimate.

Mr. DuBois. Approximately 6 or 7 months. Under the circumstances, I wasn't being promoted as I felt I should be, through the local store, and I resigned.

Mr. APPELL. What was your next employment, sir?

Mr. DuBois. I operated a Firestone store in Smithfield as manager.

Mr. APPELL. How long did you operate that store, sir?

Mr. DuBois. Until it was sold. Approximately a year or better, until it was sold to an individual.

Mr. APPELL. What was your next employment, sir?

Mr. DuBois. Let's see. My next employment, sir, was with the Dixie Finance Corporation, which was a loan company.

Mr. APPELL. How long did you remain employed by them, sir?

Mr. DuBois. Until I went in business for myself, sir, in 1951.

Mr. APPELL. What business did you enter, sir?

Mr. DuBois. I went into the used car business, buying and selling used cars.

Mr. APPELL. Are you still engaged in that business?

Mr. DuBois. Yes, sir.

The CHAIRMAN. At what town is that?

Mr. DuBois. That is Goldsboro, North Carolina.

The CHAIRMAN. All right.

Mr. APPELL. Now, Mr. DuBois, the subpoena served upon you calls for you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service and Wayne County Improvement Association, in your possession, custody or control, or maintained by you or available to you as an officer or employee of the Wayne County Improvement Association of the Invisible Empire, United Klans, Knights of the Ku Klux

Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Part 2 calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as an officer or employee of the Wayne County Improvement Association of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Under the terms of that subpoena, Mr. DuBois, I ask you if you have brought with you the documents called for.

Mr. DuBois. May I make a statement first, sir?

The CHAIRMAN. Surely.

Mr. DuBois. I have been informed by some members of the Klan I should stand on the fifth amendment. I think this is—will not help my record any. At this time, any vows that I took in this organization are secondary to the loyalty to my integrity and loyalty to this Nation. To God is first. Nation is second. Anything after that, I figure is secondary.

I have no intentions of taking the fifth amendment, no matter what happens. I have been informed that possibly I would be held in contempt. I hope and pray that you don't do that. I have come up here to speak the truth. I figure that if the Klan had nothing to hide, the reason I joined it, I thought it was an organization that was according to what I knew about it and what I read, the literature I had read, had been to the betterment of this country.

At this time, under the circumstances of the fifth amendment that the people have been taking on this, I would like to resign as a Klan member, and as treasurer of my local unit, and I have the people—I have nothing against my people of the unit. They are garden variety Americans. As far as I know, there is nothing subversive in it. I have found nothing subversive in it, and if it is found to be subversive, I have already resigned, but I hope that is no reflection on it as being subversive, because I have seen nothing.

The CHAIRMAN. We appreciate your attitude. I don't know who told you what about what you should do or not do, on what issues you should invoke the fifth amendment or not, or whether we would hold you for contempt or not.

We are the judges of that, and I congratulate you for voluntarily saying what you said, and I have no notion of what you are going to say or what you are about to say, and to what you said, I say amen.

Mr. DuBois. Thank you.

The CHAIRMAN. Now perhaps, Don, before he produces the document, don't you want to ask him when he joined, and lead up to it?

Mr. Appell. I will, Mr. Chairman. I was going to ask. However, preliminary to that, with respect to two statements that he just made, one with respect to him being urged to take the fifth amendment, as to the identity of those people who urged him to take the fifth amendment.

Mr. DuBois. Sir, the people that mentioned this to me, I have never seen before. I do not know their names. If I did, I would hate to divulge it.

The CHAIRMAN. But you honestly don't?

Mr. DuBois. I honestly don't, sir.

The CHAIRMAN. Was that in the nature of a telephone conversation, or personal appearance?

Mr. DuBois. Yes, sir; in difference ways.

The CHAIRMAN. I wish you would describe that.

Mr. DuBois. Well, sir, some of these people are not Klansmen. They are people that are back in my hometown, that know my background, respect me, and they said that "You think you are going to be in trouble, or get in trouble, take the fifth amendment."

The CHAIRMAN. Nobody gets in trouble anywhere in America by telling the truth.

Mr. DuBois. That is the reason I am up here, sir, and that is the reason I am up here without counsel.

The CHAIRMAN. We appreciate it.

Mr. APPELL. Who gave you the advice that the committee might hold you in contempt?

Mr. DuBois. This was also over the phone, and I do not—I personally do not know the people.

The CHAIRMAN. Well, perhaps—

Mr. DuBois. I am a Baptist by faith, and I am a Christian, and I intend to tell the truth. I hope that I am not hurting anybody. I am not out here to blacken anyone's reputation; I don't want mine blackened. I don't want my children—back when I was fighting, I didn't know what I was fighting for. I was 17 years old, and I didn't know then, but now I have a wife and three children. I know what I am fighting for.

There are things that I do not approve of in the government, and being handed down by the government, but I am not hiding to tell it. I imagine that is the reason I am up here. I don't feel that I have anything to hide. There is bound to be some conflict in this country, and there is uprisings and the riots and everything, and I think that these people should come back and make this country as great as it has been, and I think this greatness of this country is not only because of the Government, but in spite of the Government. Individuals.

The CHAIRMAN. Well, I appreciate your views, and if there is one thing sacred in America, it is the right to speak out. Congratulations.

Mr. DuBois. Thank you, sir. I may be persecuted. I haven't been threatened.

The CHAIRMAN. Let me tell you this: I said in my opening statement and I now reiterate, if I have any influence—and the members feel that I do—in this town, if anything occurs to you in the way of threats or anything else, as the result of your appearance here, you just let us know.

(At this point Mr. Weltner left the hearing room.)

Mr. DuBois. Thank you, sir.

The CHAIRMAN. And as I said, knowing of our Government and judicial system, I will let the fur fly.

Mr. APPELL. Mr. DuBois, before I ask for the production of the documents called for in the subpoena, when did you join the Ku Klux Klan?

Mr. DuBois. To give you the exact date, sir, I could not.

The CHAIRMAN. Just about.

Mr. DuBois. Approximately 18 months ago. Approximately. I wouldn't—it could be 12.

Mr. APPELL. To what unit of the Klan were you assigned as a new member?

Mr. DuBois. Sir, I would like to answer this—

The CHAIRMAN. Well, in what town?

Mr. DuBois. —in an honest way. Goldsboro, North Carolina.

The CHAIRMAN. The Klavern located in Goldsboro, North Carolina.

Mr. DuBois. Yes, sir.

Mr. APPELL. Now, the reason, Mr. DuBois—and I will tell you this—that you were subpoenaed is because the committee, in the course of its investigation, obtained the bank account of the Wayne County Improvement Association, and it found in an examination of these records that you were a signator to this account.

Mr. DuBois. Yes, sir, up until several months ago, when I resigned. They refused my resignation, but my name was withdrawn as a signator. I still have been keeping the books. I also am finance chairman of my church.

The CHAIRMAN. Finance chairman of your church.

Mr. DuBois. Yes, sir; of my local church.

The CHAIRMAN. Well, as a matter of fact, you indicated that part of your schooling was some course in finance.

Mr. DuBois. Yes, sir.

Mr. APPELL. Do you know whether or not they did file a new signature card with the bank after you told them of your resignation?

Mr. DuBois. I am sure they did, sir, because there have been checks going out since then.

Mr. APPELL. Well, the original signature card contained three names, any two of which were authorized to sign checks.

Mr. DuBois. That is correct, sir.

(Document marked "Joseph DuBois Exhibit No. 2" follows:)

JOSEPH DuBOIS EXHIBIT No. 2

ACCOUNT NAME	DATE	SAVINGS
Wayne County Improvement Association		CHECKING
		SPECIAL
ACCOUNT NUMBER	S. S. No.	
6-750-852		
SIGNATURES		
J. A. [Signature]		
H. H. Barrow		
[Signature]		
MAIL ADDRESS		
BUSINESS AND ADDRESS	STREET AND NUMBER	CITY STATE
FORMER BANK OR REFERENCES		

THIS ACCOUNT IS ACCEPTED BY WACHOVIA BANK AND TRUST COMPANY SUBJECT TO THE PROVISIONS STATED ON THE REVERSE SIDE OF THIS CARD ABOVE ARE THE DULY AUTHORIZED SIGNATURES WHICH THE BANK WILL RECOGNIZE IN THE PAYMENT OF FUNDS ON THE TRANSACTION OF OTHER BUSINESS

Mr. APPELL. I am not going to ask you who they are. I am going to state for the record, and if I am wrong I ask you to correct me, that it was J. A. Price, A. H. Barrow, and yourself, Joseph G. DuBois.

Mr. DuBois. I think that is correct, sir.

Mr. APPELL. Now, the name of this account is in the name of the Wayne County Improvement Association.

Mr. DuBois. Yes, sir.

Mr. APPELL. Did you know the Wayne County Improvement Association to be the designation of a Klan unit to which Klansmen were assigned?

Mr. DuBois. Yes, sir.

Mr. APPELL. Now, I now ask you, Mr. DuBois, to produce for the committee the documents in your possession or control called for by the subpoenas.

Mr. DuBois. May I make a statement also, sir, before doing this? It will concern it, and after that I will.

The CHAIRMAN. And you will produce them?

Mr. DuBois. Yes.

The CHAIRMAN. Yes, go ahead.

Mr. DuBois. On Monday night, the last meeting that we had, I asked, I explained to the people that I represent that I had been subpoenaed, and what had been subpoenaed, and what was in my custody, and I asked that they give me a 100 percent showing to bring that, and every man raised his hand to give me permission to bring this.

I want that known. I don't know these other gentlemen, the higher-ups in the Klan. Mr. Jones I have met on one or two occasions. I have been to two rallies in my home area. I do not have time to attend the rallies, because I have my—still have my mother to support, and my family, and my business to look after, and I can't be running all over the country. And since the—

The CHAIRMAN. Well, I congratulate you and your members on willingness to produce the documents that you are now about to hand in.

Mr. DuBois. And I had the full cooperation of my local unit, and I think that—that is the reason I am producing these documents.

The CHAIRMAN. All right.

Well, let me ask you this question: I understand, therefore, that, and you said as much, because you said you were contacted by phone and by people you don't know—those who suggested that you invoke the fifth amendment are not members of your Klavern?

Mr. DuBois. No, sir.

May I ask—pardon me, sir. May I ask that these be returned to me to return them to my unit at a date—

The CHAIRMAN. They will have to be studied, and excerpts, I suppose excerpts will do for our purposes, but I don't want to—we are not in the business of keeping documents for the sake of keeping documents. We may have to hold them, and scrutinize them a little.

(Documents marked "Joseph DuBois Exhibit No. 3," and retained in committee files.)¹

Mr. DuBois. They were put in my custody, sir, and the people had trust in me that put them in mine, and I would like to see them returned to them.

(At this point Mr. Weltner returned to the hearing room.)

¹ Copies were made of those documents of interest to the committee, and all originals were returned to witness.

The CHAIRMAN. Well, under those circumstances, I am not going to violate trust. We will reproduce them, but, of course, we are not going to ask you to violate trust, and you are tendering them to us with the condition that they be returned, at least for us to make excerpts of such parts of them as we consider pertinent. That will be understood.

Order. We are still in session.

(The subcommittee conferred off the record.)

The CHAIRMAN. Mr. DuBois, I will tell you the way we will proceed: You hand the documents to Mr. Appell and in your presence he will give a very general designation of each; we won't have time to study them, and then so you know what you handed us, and if there is any misunderstanding about it, because it will be in your presence, it will be itemized.

Then, if agreeable, we will adjourn until 1:30 so we can examine them more closely and then return them to you after 1:30. Will that be agreeable?

Mr. DuBois. Yes, sir.

Gentlemen, if there is any way possible, I would like to get out as soon as possible and get back home to my family and business. I have been up here 2 days.

Mr. Pool. Mr. Chairman, I don't think we will have time to make excerpts before 1:30.

Have the investigator read off what they are.

The CHAIRMAN. All right. To the reporter, make a general description of each document, and set them aside, one by one.

All right, I understand you told our general counsel that you are willing to leave them with us for several days.

Mr. DuBois. Yes, sir.

The CHAIRMAN. Well, we will return them to you. We will make a list right now.

Mr. DuBois. Fine. Thank you, sir.

The CHAIRMAN. But I think it would not—could you, Mr. Appell, enumerate them, one by one, a checkbook, in very general terms, of what appears to be such-and-such?

Mr. DuBois. The only thing you have, sir, is a checkbook and a few receipts, and some deposit slips, which we have been—

The CHAIRMAN. Well, you are entirely familiar with them.

Mr. DuBois. Yes, sir.

The CHAIRMAN. And you are not going to demand that we make an inventory of them right now, and you will trust us.

Mr. DuBois. Yes, sir. It is time for someone to trust somebody, sir.

The CHAIRMAN. Time for someone to trust somebody. You are so right.

You might give a very general description.

Mr. Appell. Yes, sir.

The CHAIRMAN. Say it is a checkbook, receipts.

Mr. Appell. There are two checkbooks, imprinted checkbooks.

The CHAIRMAN. All right, that is enough.

Mr. Appell. One envelope which contains check stubs.

Mr. DuBois. No check stubs, sir, in there. I haven't had any check stubs. No check stubs returned. That is the checkbook. I am sorry. Same thing. That is the old one.

Mr. Appell. Some individual small checkbooks, and looks like bills which were paid from this account, together with copies of deposit slips, and a zipper case which contains—

Mr. DuBois. There is a quarter in there that was an overage from the last deposit. It is under your checkbook there, sir.

Mr. APPELL. Plus 25 cents, but I will give you back the 25 cents, so that doesn't get lost in the process.

And some blank deposit forms together with deposit books.

These are the items contained in the material produced.

Mr. DuBois. This is items that were in the deposit. After I explained that I had those.

The CHAIRMAN. That is a correct description of this document; is it not?

Mr. DuBois. Yes, sir.

The CHAIRMAN. Now the committee will stand in recess until 1:30.

The subcommittee will come to order.

Mr. DuBois, we would like you to confer with our investigator about these documents between now and 1:30. Will you do that?

Mr. DuBois. Yes, sir.

The CHAIRMAN. The subcommittee is recessed.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 11:38 a.m., Friday, October 22, 1965, the subcommittee recessed, to reconvene at 1:30 p.m. the same day.)

AFTERNOON SESSION—FRIDAY, OCTOBER 22, 1965

(The subcommittee reconvened at 1:45 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will please come to order.

I understand you have recalled Mr. DuBois.

Mr. APPELL. Yes, sir; we have recalled Mr. DuBois.

TESTIMONY OF JOSEPH G. DuBOIS—Resumed

Mr. APPELL. Mr. DuBois, would you briefly outline to the committee the duties and responsibilities—or let me ask you this. I don't know for sure whether I put it on the record this morning. Within the Wayne County Improvement Association, which you identified to be a club to which members of the Ku Klux Klan were assigned, what specific position did you hold?

Mr. DuBois. Treasurer, sir.

Mr. APPELL. And within the Klan the treasurer is known as the klabee?

Mr. DuBois. Yes, sir.

Mr. APPELL. What are the duties and responsibilities of a treasurer?

Mr. DuBois. Well, the only responsibility and duties I had was to make the deposits and write the checks and then pass them on to everywhere they were to be sent.

Mr. APPELL. Is it true that under the procedures the secretary is the man who receives money, and makes all the written reports, and turns the money over to the treasurer for the treasurer to deposit?

Mr. DuBois. Yes, sir. Of course I don't know whether he gets all the money or what the deal is as far as collecting or something. Of course all the money is supposed to be turned into me to make deposits with and then entered on my record, the check stub, so we will know at all times what our balance is.

Mr. APPELL. Let me ask you this. Within the group that you belonged, what was the initiation fee paid?

Mr. DuBois. Well, the membership, my membership fee was \$10.00.

Mr. APPELL. What are the monthly dues?

Mr. DuBois. We have no monthly dues, sir. It is quarterly.

Mr. APPELL. Quarterly within your organization, and what were the quarterly dues?

Mr. DuBois. Four and a quarter.

Mr. APPELL. \$4.25?

Mr. DuBois. Yes, sir.

Mr. APPELL. Now, it is the committee's understanding that the secretary—

The CHAIRMAN. Wait a minute. I wonder if he understood you. \$4.25 per quarter?

Mr. DuBois. Yes, sir.

The CHAIRMAN. Per quarter.

Mr. DuBois. Yes, sir.

Mr. APPELL. The committee's investigation disclosed that the secretary makes up either on a monthly or a quarterly basis that which is known as a kligrapp's report which is forwarded to the state or realm level and also to the imperial level.

This report contains the number of members, and the number initiated, and losses and minuses. The money that is to be transmitted, is this merely the amount requested of you as the treasurer, or are you given a breakdown of membership upon which you write the check?

Mr. DuBois. No, sir; I am not given anything but make a check out for this amount to a certain area.

Mr. APPELL. I hand you a series of checks, some endorsed—or showing you as the maker, as a comaker, others without your signature as a comaker. All of these are made payable to the Alabama Rescue Service.

Can you tell the committee what the Alabama Rescue Service is?

Mr. DuBois. Well, sir, I don't know exactly what the Alabama Rescue Service is, but I know that is where we are supposed to send our checks or where we are supposed to answer to.

(Documents marked "Joseph DuBois Exhibit No. 4." One check follows; balance retained in committee files.)

JOSEPH DuBOIS EXHIBIT No. 4

WAYNE COUNTY IMPROVEMENT ASSOCIATION
P. O. BOX 181
ROSELAND, NORTH CAROLINA

Oct 12 1964

PAID TO: Alabama Rescue Service \$ 18.50

THE CHECK OF Eighteen 15/100 DOLLARS

WACHOVIA BANK AND TRUST COMPANY
ROSELAND, NORTH CAROLINA

10542-08754 6-750-8524
100000018502

10-21-64

W. L. L. L. L.
Joseph D. DuBois

The CHAIRMAN. I might inform you that the Alabama Rescue Service is a front or cover name that Mr. Shelton uses and his organization uses in connection with the operations of the United Klans of America.

Mr. APPELL. And these checks that were sent or made payable to the Alabama Rescue Service were for what is known as imperial tax?

Mr. DuBois. I don't know how they were classified, sir, under the circumstances. I mean I was just keeping the books for the checks, of course for the unit.

Mr. APPELL. But this was a portion of the dues money collected from the membership?

Mr. DuBois. I guess so; yes, sir.

Mr. APPELL. There were a number of checks in this account drawn to the order of J. R. Jones. Can you tell us what checks payable to J. R. Jones, as a general rule the purpose for which this money was drawn?

Mr. DuBois. I think that—of course, as I said, again I don't know the amount or anything about it, but it is just like the same thing that—it is a local or statewide—

Mr. APPELL. State tax?

Mr. DuBois. I don't know whether you call it tax or what you would call it. I mean it is to help operate, I guess, for expenses, Mr. Jones and his duties.

Mr. APPELL. You are familiar with this document called Constitution and Laws of the United Klans of America, Incorporated, Knights of Ku Klux Klan?

Mr. DuBois. No, sir; I have never seen one before.

Mr. APPELL. According to that document, 25 cents is supposed to go to the state or realm and 50 cents to the imperial. Therefore, checks made payable to Mr. Jones would be the state share and checks to the Alabama Rescue Service would be the imperial share.

Is that your understanding, sir?

Mr. DuBois. As I said before, sir, I don't know what amount. The only thing I know we did send checks to them. I don't know what the amount was or what it was used for. I have tried to keep the books where they keep the money straight for them. That is all I have done.

The CHAIRMAN. I am satisfied thus far, and I know it will be true throughout the testimony; it would seem that you are handling your funds all right, but I am asking you this: Do you know what Jones and Shelton do with the money that is received from you?

Mr. DuBois. No, sir; I have no way of knowing except it is supposed to be to offset expenses incurred in their operation or in the operation of the Klan.

The CHAIRMAN. Did you know, for example, that under the setup at the Imperial Wizard level, Robert M. Shelton himself, as to monies that are received from you, deposits those funds in a bank in California; that checks he draws against that account are signed by himself and supposedly by a man by the name of James J. Hendrix or a man by the name of T. M. Montgomery, but that in fact there are no

such males, and that those persons are thieves, that Hendrix is the wife of Shelton and Montgomery is someone who works for Shelton?

Did you know that before?

Mr. DuBois. No sir; I did not.

Mr. Pool. From what the chairman has told you, what do you suppose would be the reaction of your Klan members back in your Klavern? What would they think of this revelation?

Mr. DuBois. Gentlemen, as I said once before, I don't want to break any sacred trust the people put in me, but I feel that my country, God and my country, comes first and anything else is secondary.

I went to my people at the last meeting and asked them, told them I had my subpoena and what it required me, and asked them permission to bring this checkbook up here and present to you gentlemen.

I said, "As far as I know, we have nothing to hide. We have never, of my knowledge, we have never done anything subversive or destructive or otherwise. We have a common cause, there was some things we don't approve of, and I think the only way that you will get representation is by a majority," and I asked them if I could bring these books up here, and I had a hundred percent in my unit raise their hand and give me their confidence.

Mr. Pool. What I am getting at is this. Well, I don't want to make this statement. The Imperial Wizard is wearing a big diamond ring and driving the car the Klan bought him, and the same way with some of the Dragons.

These revelations should shake up the membership back home when they find these things out. I don't think they have known about it.

Mr. DuBois. Well, in some cases some of the things possibly they do know about. Others they don't know about.

The CHAIRMAN. What you are trying to say is that you run your affairs straight?

Mr. DuBois. Yes, sir.

The CHAIRMAN. You don't know what Jones and others are doing?

Mr. DuBois. Right. I feel about the Klan and the unit I belong to just like I do about my church, or my country, or my income tax. Once I do my part and sent the money in I have done my part and what happens to it is someone else's worry.

Mr. Pool. I understand.

Mr. DuBois. The same way with my church and my tithes to my church. What they do with it, if it is misused or otherwise, my conscience is clear.

The CHAIRMAN. It then becomes between them and their God?

Mr. DuBois. Yes, sir. I still think I have nothing to hide.

The CHAIRMAN. We appreciate that.

Mr. DuBois. And people in my local unit as far as I know, has nothing to hide.

The CHAIRMAN. You are not going to be the loser and nothing is going to happen to you for your frank, open way of expressing yourself.

Mr. APPELL. Let me ask you this: Who possessed the records with respect to membership? The treasurer, or secretary?

Mr. DuBois. Well, I can answer this much: The treasurer does not.

Mr. APPELL. You have no records which reflect the membership of your unit?

Mr. DuBois. No, sir.

Mr. APPELL. As a matter of fact, all of the records which were in your possession you presented to the committee this morning?

Mr. DuBois. Yes, sir.

Mr. APPELL. And only as to the financial transactions which are reflected by these records do you have knowledge?

Mr. DuBois. No, sir; only what you see and that what I brought up here is the only thing I have any knowledge of. Of course, we have never been able to hold a regular meeting as far as I am concerned, like it should be held according to the Klan, because public opinion and newspapers and all have been mighty biased on us and have been pushing us from one area to the other, and it has been rather hard to keep an organization together. You are roaming around.

The CHAIRMAN. In other words, the records that you brought are the only records that you have control of?

Mr. DuBois. Yes, sir.

Mr. APPELL. Do you have an estimate of the size of your membership?

Mr. DuBois. No, sir.

Mr. APPELL. Mr. Chairman, due to the fact that the records submitted by the witness, together with the documents subpoenaed by the committee, tell the financial story of this unit and due to the fact that this is the only knowledge possessed by this witness, the staff has no further questions to ask of this witness.

The CHAIRMAN. I just want to tell you this: The committee is very grateful to you. You have displayed a great deal of courage and gumption by coming over here and telling us what you know within your knowledge freely and openly, and I assure you that, whatever information has been given to you to the contrary, this committee is interested only in the facts, not interested in subjecting you or anyone else to harassment or ill treatment for coming over here and voluntarily and under oath saying all they know.

Mr. DuBois. Thank you, sir.

The CHAIRMAN. You have a very wonderful record that you have displayed here in service to your country and your allegiance to God and country first, and the feeling that this is superior to any allegiance to the Klan or anything else, and I admire you for coming here in view of the things that have transpired, that you talked about in this committee room, something no one knew about or expected of you, what you did recite right then and there in public session before a congressional committee.

Now listen carefully. You are under subpoena here.

Mr. DuBois. Yes, sir.

The CHAIRMAN. In addition to compelling a person to appear in response to a subpoena, a subpoena issued by a court, grand jury, by a congressional committee, and the like, carries with it the protection

of Federal law, meaning that under that law if anyone appears before a court or grand jury or petit jury or congressional committee and testifies under oath, then anyone who threatens that person or who molests him, intimidates him, does anything else, is violating that Federal law.

I am going to continue the subpoena until January 1, 1966. That means two things. That if developments require, you are under compulsion to report back and, number two, it is for your further protection as a voluntary witness before a congressional committee.

If there are any threats, intimidations, recriminations, any acts, verbal or physical, that occur to you or members of your family, so far as I am concerned, as a result of your appearance, you please just let me know.

Mr. DuBois. Yes, sir. Thank you.

Mr. BUCHANAN. Mr. DuBois, I want to congratulate you for your military record. We tend to forget that there is freedom in the world today because of what you and other men like you did in World War II, and in my opinion freedom will continue to survive in this world because of what men are doing now to resist tyranny in the same way.

I believe you stated that your reason for testifying before this committee is because you put God first, country second, and other things fall below that.

Mr. DuBois. Yes, sir.

Mr. BUCHANAN. And that your loyalty to your country is greater than your loyalty to any such organization as the Ku Klux Klan.

Mr. DuBois. Yes, sir.

Mr. BUCHANAN. Is that correct? And that since a law, based firmly on the Constitution of this country, requires you to testify as you have testified and because of loyalty to your country you felt impelled to testify, that you held this to be a higher loyalty and therefore testified before this committee. Is that correct?

Mr. DuBois. Yes, sir.

Mr. BUCHANAN. I noticed when you took the oath as a Christian you swore to tell the whole truth, nothing but the truth, so help you God.

Mr. DuBois. Yes, sir.

Mr. BUCHANAN. You swore rather than affirming.

Mr. DuBois. Yes, sir.

Mr. BUCHANAN. I noted that also. Then, finally, I just want to confirm this fact: That you have testified twice, I think, you joined this organization with no idea of wrongdoing as did other members of your local unit, so far as you are concerned?

Mr. DuBois. That is correct, sir.

Mr. BUCHANAN. You, this day, have resigned from this organization about which certain questions have been raised in this hearing, and not your unit I mean, but you did this day resign?

Mr. DuBois. Yes, sir.

Mr. BUCHANAN. From that organization?

Mr. DuBois. Yes, sir.

Mr. BUCHANAN. I want to congratulate you, Mr. DuBois, for your service to the country in the past and the service you have rendered in your testimony today.

Mr. DuBois. Thank you, sir.

The CHAIRMAN. Any more questions?

Mr. APPELL. No, Mr. Chairman, the staff has no further questions.

The CHAIRMAN. Thank you very much.

Mr. APPELL. Thank you.

The CHAIRMAN. Call your next witness.

Mr. APPELL. Mr. Chairman, I would like to call as our next witness Mr. Roy Woodle and I would like to request permission for Mr. Philip Manuel, investigator for the committee, to interrogate the witness.

The CHAIRMAN. Raise your right hand.

Mr. Woodle, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WOODLE. I do.

The CHAIRMAN. Mr. Manuel, proceed.

TESTIMONY OF ROY WOODLE

Mr. MANUEL. Mr. Woodle, would you please give your full name to the committee, please?

Mr. WOODLE. Roy Woodle.

Mr. MANUEL. And how do you spell that last name?

Mr. WOODLE. W-o-o-d-l-e.

Mr. MANUEL. When and where were you born?

Mr. WOODLE. In Davidson County, Lexington, North Carolina.

Mr. MANUEL. What is your current occupation?

Mr. WOODLE. Bricklayer.

Mr. MANUEL. Are you appearing here today, sir, in response to a subpoena served upon you on the 6th of October 1965, served upon you by an investigator of this committee, Mr. Raymond McConnon?

Mr. WOODLE. That is right, sir.

Mr. MANUEL. Mr. Woodle, have you ever been a member of the North Carolina Realm of the United Klans of America?

Mr. WOODLE. Yes, sir; I have.

Mr. MANUEL. When did you become a member of that organization?

Mr. WOODLE. Roughly 8 or 9 months ago. I couldn't recall the date that I became a member of it, but roughly 9 or 10 months ago.

Mr. MANUEL. Would that be approximately December of 1964?

Mr. WOODLE. Somewhere in that area; yes.

Mr. MANUEL. Under what circumstances did you join the UKA or the United Klans of America?

Mr. WOODLE. Why did I join the organization?

Mr. MANUEL. Yes, sir.

Mr. WOODLE. I joined the organization because I was approached that it was an organization to present a program against integration, which I didn't believe in integration, and that it was a Christian organization, and that is what caused me to join the organization.

Mr. MANUEL. Reverend Woodle, do you have a background as a preacher or a reverend for a church?

Mr. WOODLE. Well, I have been preaching for some 3 years now.

Mr. MANUEL. Where do you preach, sir?

Mr. WOODLE. I don't preach nowhere in particular now, just anywhere opportunity, and I preached on the radio for 3 years till recently, about 3 or 4 months ago.

Mr. MANUEL. In what city in North Carolina did you preach?

Mr. WOODLE. The vicinity of Lexington and different churches that call you to speak for them.

Mr. MANUEL. When you became a member of the United Klans of America to what Klavern or unit were you assigned?

Mr. WOODLE. In Lexington.

Mr. MANUEL. To your certain knowledge, do you remember what number or designation that Klavern had?

Mr. WOODLE. No, to the number, and whatever it went by, I never went into that and don't know. I saw in the news one night last week it showed so many different Klaverns and it give the number and I believe this one was No. 9 or some kind of a No. 9—let me think just a minute; some kind of a club or something under that name.

Mr. MANUEL. Upon becoming a member of this Klavern and becoming a member of the United Klans of America, did you take an oath of allegiance—

Mr. WOODLE. I absolutely did.

Mr. MANUEL. To that organization. I would like to at this point hand you a copy of that oath and ask you to the best of your memory to identify it for the committee.

Mr. WOODLE. Well, now, the way the oath was taken—you know, when you get a thing and going down and a man asks a question and you repeat after him, I can't recall just word for word what was said or how it was said.

Mr. MANUEL. Is that an oath similar to the one that you subscribed to?

Mr. WOODLE. It looks like it would be about the same thing, but as far as how it was worded and not worded, I couldn't say because I didn't know. I have never had one. I have never had an oath or never been entrusted to me or nothing. I wouldn't know.

(Document previously marked "Robert Shelton Exhibit No. 4.")

Mr. MANUEL. Upon your subscription to that oath, did it mention God?

Mr. WOODLE. Yes, it did, in some place it did whenever it was given, something to that effect, yes.

Mr. MANUEL. Reverend Woodle, when you joined this organization what kind of an organization did you believe it to be?

Mr. WOODLE. Well, I was told it was a religious organization. They stood for the truth and right and honesty for all, and that is the reason I finally joined.

Mr. MANUEL. During the course of your membership in this organization did you change your original opinion as you have just outlined it?

Mr. WOODLE. Well, let's put it this way: In my way of saying, I was approached that this organization was a very religious organization, it stood for the truth and what was right, and it stood against integration. Now, I stayed in the organization some 8 or 9 months myself and I done what I thought I was supposed to do, try to carry out my duty as a member and what was asked them, everything that was asked reasonable and right, and the whole time I was in I don't find it stood for religion or against integration. If it did I don't know where the

program was or where it performed that. Not in the State of North Carolina as I know there was an active program against it, and those was the two main reasons I joined the organization.

The CHAIRMAN. Did they say it was a Christian organization?

Mr. WOODLE. Definitely. When the man comes to me to ask me to join I told him I was afraid it would go against my conviction, and having been a preacher I was afraid it would hurt me, and he told me, "No, sir; we stand for the truth," and what was right, and I believed in that and I believed we ought to have had a program against integration, which every man has a right to believe what he wants to believe, and that was my motive for joining it, and I believe that 98 percent of the rest of the Klan joined for that reason. If they did or didn't, I know not. It is just a personal opinion.

Mr. MANUEL. Reverend Woodle, while a member of this organization did you hold any office or elected position?

Mr. WOODLE. I was elected State chaplain or the State klodd or kludd, or whatever they call it.

Mr. MANUEL. The grand kludd of the Realm of North Carolina; is that correct, sir?

Mr. WOODLE. Yes, sir.

Mr. MANUEL. Approximately when were you elected to this position?

Mr. WOODLE. January, February, somewhere along there.

Mr. MANUEL. What year, sir?

Mr. WOODLE. This year.

The CHAIRMAN. Let me say this at this point, along the lines of what I said this morning, we are not concerned with religious beliefs, theological, or philosophical, or political beliefs or opinions.

I am permitting you to testify here because you are relating personal experiences as a Klansman and that is competent testimony because you are an official Klansman and official chaplain or kludd of the Realm of North Carolina, and that is important because you are relating an experience.

Proceed.

Mr. MANUEL. Now, Reverend Woodle, at the time you were elected to the position of grand kludd, was Mr. J. R. Jones elected to the position of Grand Dragon for the Realm of North Carolina?

Mr. WOODLE. Yes, sir; that is right.

Mr. MANUEL. What were your main activities while a member of the Realm of North Carolina, United Klans of America?

Mr. WOODLE. I would go around from rally to rally and speak at the rallies.

Mr. MANUEL. Where and how were your speaking engagements arranged?

Mr. WOODLE. Well, we just went to the rallies, and they would invite me up to the—to speak.

Mr. MANUEL. Approximately how many rallies were there at which you were the speaker?

Mr. WOODLE. Well, I spoke at several rallies. I couldn't tell you how many.

I missed the first one they had in the spring, and then I attended them all, up until I resigned.

The CHAIRMAN. You did resign?

Mr. WOODLE. I did resign.

The CHAIRMAN. When was that?

Mr. WOODLE. About 5 weeks ago.

The CHAIRMAN. You might question him more.

Mr. MANUEL. While you were preaching at the Klan rallies, what fund-raising activities were engaged in by the United Klans of America, while the rallies were going on, or immediately upon their conclusion?

Mr. WOODLE. Well, they would just go ahead and take up the offering, like they do, I mean, out in the field, just go ahead and take up their offering, just like ordinarily, I reckon. I don't know what procedure you would call it, but—

Mr. MANUEL. Now, what method did they employ to collect funds?

Mr. WOODLE. Well, they just told the people they needed the money, needed some help, and set out to get it.

Mr. MANUEL. To your knowledge—

The CHAIRMAN. Who would make that plea? Would Jones be one of them?

Not putting words in your mouth.

Mr. WOODLE. I don't recall who made the plea, but in my knowledge I believe that Mr. Dorsett done the most of that out in the field.

Now, I wouldn't say, but if others did or not, I don't know. I don't know who done it. I didn't take notice to keep a record. I didn't dream of such a thing acoming to pass. If I did, why, there might have been different arrangements, earlier.

Mr. MANUEL. Now, would you please further identify Mr. Dorsett, whom you just mentioned?

Mr. WOODLE. Mr. Reverend Dorsett, out in Greensboro, North Carolina, I believe, I can't say. He was most of the time one of the main speakers.

Mr. MANUEL. Did you know him to be an official of the Realm of North Carolina?

Mr. WOODLE. What if he was an official or not, I don't know.

Mr. MANUEL. In collecting funds at rallies, to your direct knowledge, did the Klan employ persons or use persons within the audience who would come to the speakers' stand and donate an unusually large amount of money, in order that other members and other attendees at the rally would then contribute some money?

Mr. WOODLE. A fellow come to me was a Klansman and said he had been planted with \$50 to bring it forth, that it might bring others to come forth, but he would get his \$50 back.

Now, who he was, I don't know, didn't identify himself, and he come to me, and said he was troubled over it, after what he had done, and he hated he had done it.

Now, who he was, I don't know. He was a Klansman. He approached me later on that stage, and said he felt bad for doing such a thing.

Mr. MANUEL. Are there any other examples of that type of activity on the part of the United Klans, to your direct knowledge, Rev. Woodle?

Mr. WOODLE. No, the man come to me with that, and as far as any more of it, I know not.

The CHAIRMAN. Well, of course, as a churchman, I take it that you don't believe in poker or gambling, but some people like that are called come-see boys, or shills. You wouldn't know about that. The names of them. He didn't tell you.

Mr. WOODLE. No, sir, I don't think no man ought to bow his head and pray, and then try to deceive a man. I believe in just being, if you are going to deceive a man, don't pray and ask God to bless it, and then the man come up and shake his hand say, "May God bless you," and going to get around the corner. Personally, I don't believe in that. The other people can believe what they want to.

Mr. MANUEL. Now, Reverend Woodle, did there come a time when Mr. Bob Jones, the Grand Dragon of the Realm of North Carolina, offered you a job with the United Klans of America?

Mr. WOODLE. Yes, sir, I was offered a job with the United Klans of America.

Mr. MANUEL. And what position, exactly, was that?

Mr. WOODLE. I think it was supposed to be organizer, or something to that effect.

Mr. MANUEL. And did Mr. Jones mention an amount of money or a salary to you at that time?

Mr. WOODLE. \$150 a week.

Mr. MANUEL. Did you take that position?

Mr. WOODLE. No, I didn't take it. I was about to take it, but after I come to the conclusion that a man couldn't go under dictatorship without a reason, why, to stand up with principle, a fellow couldn't afford to, and I had to withdraw from it.

I was almost persuaded to do it, but after giving it thought for 2 or 3 days, I couldn't accept it.

The CHAIRMAN. You would say that Mr. Jones and the head people in the Klan have pretty good power of persuasion?

Mr. WOODLE. Anybody who is paying you, most of the time, you have to listen to them. And I don't think a Christian, or any man with any self-responsibility, should have to go under a man that cusses the name of the Lord and a man tries to do halfway right, and I mean, that is just my conviction of people do what they want to do.

In my position, I didn't feel like—I was obligated to God, and my friend to go under dictatorship to no man.

The CHAIRMAN. What do you mean by dictatorship? Do you regard Klan or Klan leaders in such kind of fashion?

Mr. WOODLE. I wouldn't know how to say that.

The CHAIRMAN. Well, say it in your own words, and don't go beyond what—

Mr. WOODLE. I think every man ought to have a right to speak his piece without trouble. Regardless of circumstances. And whenever a man has to live under fear the rest of his life because he had to sleep with hisself at night against his conviction, I don't believe he should go under that. If you have to die, don't go under it. That's my conviction.

Mr. MANUEL. Did Mr. Jones try to persuade you to act other than in accordance with your convictions?

Mr. WOODLE. I don't quite understand your question, sir.

Mr. MANUEL. Well, did Mr. Jones or any other leader in the Klan organization try to make you act one way, in disagreement with what you thought was right?

Mr. WOODLE. No, not while I was there. Nobody approached me on that, under no—

The CHAIRMAN. Well, except for tempting you with a salary as an organizer. You didn't think that was right.

Mr. WOODLE. Oh, it would have been all right, if I had wanted to do it, but I didn't feel like that that condition, under the conditions that I would have to go under, have to give an account to certain people at certain times, at their call, I don't believe in.

Mr. MANUEL. Would you describe that more for the committee, Mr. Woodle?

Mr. WOODLE. Well, say, if a man had called me at midnight, I have got to get up and go under all conditions, why I don't—I mean, I just felt like I couldn't be at liberty with that job.

The CHAIRMAN. Let me ask you: Did you understand that, if you accepted that position, that you would be subject to—

Mr. WOODLE. I was chargeable to Mr. Jones. I would have felt like I would have been chargeable to Mr. Jones, if I had of took the job.

The CHAIRMAN. Then you think you would be under his influence, and would have to respond to whatever he called on you to do?

Mr. WOODLE. That would have been my belief, but the reason I couldn't accept it, yes.

Mr. MANUEL. Now—

Mr. POOL. Just a minute.

And you had some reservations about what Mr. Jones might ask you to do?

Mr. WOODLE. Yes. In a broad statement, that would be—you have to consider what could—what it could lead to.

Mr. MANUEL. Now, Reverend Woodle, how did you tell Mr. Jones that you would not accept this job?

Mr. WOODLE. After I was exposed, was going to accept the job, and then I guess I was talking somewhere that I wasn't going to accept it, and the word got back to him through—I don't know what you would call it. I never was approached or mentioned no more about it.

Mr. MANUEL. What happened to you, very briefly, as a result of your refusing to accept this job as organizer for the Realm of North Carolina?

Mr. WOODLE. Nothing. That was just the last of it.

Mr. MANUEL. Yes. Now, are you still a member of the Realm of North Carolina, United Klans of America?

Mr. WOODLE. No, sir.

Mr. MANUEL. Would you please inform the committee as to why you left that organization?

Mr. WOODLE. Just why I got out of the organization?

Mr. MANUEL. Yes, sir.

Mr. WOODLE. Well, when I was in the organization, I joined it, as I told you a while ago, for the principle they told me it was standing for. And I joined, of course, those was two things I didn't see no action on whatsoever. And I got a telephone call.

I went to a 3-day rally, and I got a telephone call the next week. I had been talking about resigning several weeks before, on different occasions, about different things, but I was asked to stay on, and stay on, and I felt obligated to the people, to the job I hold.

I did preach the truth to the people, and the Klansmen will verify that, I believe, and so I got a telephone call that I was to be set down, it was my friend acalling me, to "Get set, it's coming," and I just took it for what it's worth, and about 2 days later it come, that I was supposed to not be allowed back on the platform no more, and so you know when something is coming on you, you don't know what it is all about, you get inquisitive, and I tried to ask a few questions why, and some of them said I said something against Mr. Shelton, and I have never said a word against Mr. Shelton. Said I got on the platform at Trenton, Trenton, North Carolina, and talked against Mr. Shelton, therefore I had to go down.

I never got on the platform and said nothing against Mr. Shelton or no other Klansmen, and so I just decided, well, that looks pretty bad, a man——

So I asked for a reason why, and what did I say?

So I called the man, Mr. Jones, and asked him, "What did I say?"

And he said I got on the platform and said something.

I asked them, "What did I say?" and, "We don't know, you just said something."

But then when I figure a man is accusing a man and can't tell him what he is accusing of, a leader of a great religious organization, then it is time to stand for something.

Mr. MANUEL. Did you subsequently find out why they wanted you removed from the platform as a speaker at their rallies?

Mr. WOODLE. Personally, I knew no man's motive, and I don't know why, but I had my opinion, my opinion why, but as far as their motive, why they done it, I don't know. I don't know no man's motive.

Mr. MANUEL. What was the date of your leaving the Klan organization, Reverend Woodle?

Mr. WOODLE. I would say 5, 6 weeks ago.

The CHAIRMAN. Well, if you thought about it, and if what you thought the reasons were, behind the move to stop you from taking the stand, and so on, and you are convinced of that, I would like for you to explain what motivated you, what opinion motivated you.

Mr. WOODLE. When I got in the Klan, people was nice to me, and I found 98 percent of the Klansmen is, I believe to be, honest and sincere people, and they was very nice to me, and my opinion, that was the reason I had to go down, because people was a little too nice to me.

Popularity didn't speak at the right place, in my opinion, and I just felt like that I was being mistreated, and——

The CHAIRMAN. Mistreated, or perhaps——

Mr. WOODLE. Just pushed out without a cause, and I told Mr. Jones, "If I have done anything wrong, you tell me what I have done, and I am subject to a mistake, and I apologize, but if I haven't done wrong, I would like to have a reason for it," and I got the answer, "We don't have to give reasons."

It suited me fine.

Mr. MANUEL. Reverend Woodle, were you actually challenging Mr. Jones for leadership in the Realm of North Carolina?

Mr. WOODLE. I never challenged—I didn't never ask to get on the speakers' platform, I never asked to do nothing. I just tried to do kind of like I was told to do, as a citizen, and was going to have an organization to stand for decency and what was right.

Mr. MANUEL. Now, Reverend Woodle, at the time that you described, and you fell in disfavor with Jones and the other leaders of the Realm of North Carolina—

The CHAIRMAN. Well, let me ask you this question: During this period of time when you were trying to find out why it was that you would not be permitted to take the stand more, and that Mr. Jones told you that he didn't have to tell you why, did you detect that the leaders kind of shunned you, and ignored you, or any attitude like that?

Mr. WOODLE. Well, you see, I got calls from different people, and was telling me to look out, "Get set, it's coming," see, from people was friends of mine, and I figured it must have been a friend, or he wouldn't have told me, so I just took it for granted, and I set guard, and what they said was going to happen did happen, so I figured it must have been the truth.

The CHAIRMAN. Did they indicate what might happen, or—

Mr. WOODLE. What do you mean?

The CHAIRMAN. You said people called you and told you certain things.

Mr. WOODLE. To get set, things was coming, they was going to do away with me.

The CHAIRMAN. Well, that's what I mean. And they were friends of yours?

Mr. WOODLE. Well, they said they was, I mean, a man just calls you on the phone and don't tell you who it is, you consider that.

The CHAIRMAN. And you treated them as friends? You thought they were your friends?

Mr. WOODLE. Definitely.

The CHAIRMAN. And they said that you had better watch out, something would happen to you, or words to that effect?

Mr. WOODLE. They didn't say something was going to happen, but, "Get set, they are taking out against you."

The CHAIRMAN. Did they say anything more about what they meant by that?

Mr. WOODLE. No, not at that time, no.

The CHAIRMAN. Later on?

Mr. WOODLE. Later on, people told me different things, And this story that I had said something against Mr. Shelton didn't go over too good, the people was at the really realized that I didn't get on the platform and say nothing against Mr. Shelton or no other Klansman, and anybody was at that rally can verify that.

Then the story come out that the Government bought me a home, to come in the outfit to break it up, to get my friends against me, see, and that my boy, when he finished school, the Government bought him a car for me to rat on them.

The CHAIRMAN. That was not true?

Mr. WOODLE. The story of my boy's car, he bought him a 1963 Mercury, and we took out an insurance policy when the boy was borned,

and when he finished school—it was paid up when he was 10 years old, and he cashed it in and got \$300-some on the policy, and to make a down payment on the car, and he is paying People's Finance Company in Lexington, North Carolina, \$70 a month for the 30 months to pay for the car.

The CHAIRMAN. And yet they were saying what about your boy?

Mr. WOODLE. About the car and stuff, that I was planted in the outfit to tear it up, and I never did speak to a Government man, no law enforcement officer, under no conditions, till I got this subpoena.

The CHAIRMAN. In other words, they were in effect saying that you were telling things, telling tales, and spying on them, or something?

Mr. WOODLE. That's what my friends that was in the Klans tell me.

This was from rally hall to rally hall. Different people would call me. I would meet with different people, that would tell me that was what was happening.

The CHAIRMAN. What about the home?

Mr. WOODLE. And I just built me a home, and I went to Perpetual Savings and Loan Association and borrowed \$15,500 to purchase the home, and that the Government's buying me that to get in the Klan to tear it up, such as that, to try to tear my influence down with the people, because they was nice to me.

That's that great Christian organization I am talking about.

The CHAIRMAN. You think they were planting those things on you?

Mr. WOODLE. To turn the people against me. That's what I believe. I don't know what the motive was. That was my opinion.

The CHAIRMAN. All right.

Mr. MANUEL. Reverend Woodle, at the time that you—after you left the Klan, did you receive a phone call, from a person whom you know to be a Klansman, threatening you to bodily harm?

Mr. WOODLE. I don't know what if you would call it bodily harm or not. Said he had the authority to do away with me. [Laughter.]

The CHAIRMAN. Well, I would say you could classify it that. [Laughter.]

Mr. MANUEL. To your certain knowledge—

The CHAIRMAN. He wants to say something.

Mr. MANUEL. Go ahead.

The CHAIRMAN. If you want to.

Mr. WOODLE. No, go ahead, sir.

Mr. MANUEL. To your certain knowledge, do you know the identity of the person who so telephoned you?

Mr. WOODLE. Well, the fellow called me and told me a certain man was going to call me, and about an hour later, he did call me.

Mr. MANUEL. And who was that?

Mr. WOODLE. Mr. Hamby, Boyd Hamby.

Mr. MANUEL. Mr. Boyd Hamby?

Mr. WOODLE. Yes, sir.

Mr. MANUEL. Did you know at that time that Boyd Hamby was an official of the Realm of North Carolina for the United Klans of America?

Mr. WOODLE. I didn't know that he was. I still don't know that he is. I had heard that he was.

The CHAIRMAN. You heard that he was what? What officer?

Mr. WOODLE. That he was official in the Klan. A full-time man, but what if he was or not, it is just hearsay. I don't know nothing about it.

The CHAIRMAN. Someone phoned you before and said this man would phone you, and he did?

Mr. WOODLE. And said he was going home and call me.

The CHAIRMAN. And he did?

Mr. WOODLE. And about an hour later, I got a call, and he identified himself as that.

Who it was, I don't know, over the phone. I just took it for granted the fellow told me he was going to call, he did call, and I figured that was it.

The CHAIRMAN. Well, the first one who called you to tell you that that second one would call you is a friend of yours?

Mr. WOODLE. He didn't identify himself, but I took him as a friend. I appreciated the man calling me. I was set for it when he called me.

Mr. MANUEL. Reverend Woodle, do you know Mr. Boyd Hamby when you see him?

Mr. WOODLE. Yes, sir.

Mr. MANUEL. Have you seen him in this hearing room today?

Mr. WOODLE. Yes, sir, he is here.

Mr. MANUEL. Would you stand up and identify Mr. Boyd Hamby?

Mr. WOODLE. The fellow sitting right back there, with the mustache.

Mr. MANUEL. In the front row?

Mr. WOODLE. Yes, sir.

Mr. MANUEL. Fourth seat?

Mr. WOODLE. Yes, sir.

Mr. MANUEL. And that man threatened your life?

Mr. WOODLE. No.

The CHAIRMAN. He said——

Mr. WOODLE. He had the authority——

Mr. MANUEL. To do you in?

The CHAIRMAN. To do away with you?

Mr. WOODLE. Now, I took it for granted. I didn't—for what it said. I didn't—he didn't say he was going to kill me or hurt me, or nothing, but I just kind of tried to get on guard.

Mr. MANUEL. Subsequent to that telephone call, were any other acts of intimidation made upon you?

Mr. WOODLE. Nothing, only a cross was burned in my yard. That's the only other thing.

The CHAIRMAN. When was that about, after that telephone call? If you remember.

Mr. WOODLE. The night after the CBS news report on the Klan, it was burned.

The CHAIRMAN. The night after you appeared on CBS News, they burned the cross?

Mr. WOODLE. Yes, on my lawn.

The CHAIRMAN. On your lawn?

Mr. WOODLE. Yes, sir.

That was some of the money they prayed over to build that cross.
[Laughter.]

The CHAIRMAN. What?

Mr. WOODLE. That money where they used—

The CHAIRMAN. What?

Mr. WOODLE. This money that they prayed over and asked God to bless, they burnt it up in kerosene and cross and burlap bags.

Mr. WELTNER. Mr. Woodle, did you say that was the night following the CBS report?

Mr. WOODLE. Yes, sir, I believe that's correct.

Mr. WELTNER. Now, that would be the 22d day of September; would it not?

Mr. WOODLE. I believe that is right, now.

Mr. WELTNER. And tell me, if you will, Mr. Woodle, when you saw the cross burning in your front yard, what did you take that for? You considered that to be a message of some kind? [Laughter.]

Mr. WOODLE. What do you mean, sir, by "message of some kind"?

Mr. WELTNER. What did you interpret that burning cross on your front yard to mean?

Mr. WOODLE. Stupidity. [Laughter.]

Mr. CHAIRMAN. No, the act was stupidity, but do you—I am sorry.

Mr. WELTNER. Mr. Woodle, my question is this: When you saw the cross burning on your front yard, did you interpret that as a sign of displeasure, possibly, from whoever erected that cross and set it on fire?

Mr. WOODLE. Undoubtedly, apparently I felt like somebody must have been displeased or something, dissatisfied.

Mr. WELTNER. Well, did that raise any fears in your mind about any possible acts against you or your family?

Mr. WOODLE. No, that didn't bring the worries on, that has been on a few days before that, already, but the reason I didn't even get in the act, a fellow had me on the telephone while the act was going on. That was the onliest reason. I would have saw the act, if it hadn't been for that. Caught me off guard on the telephone.

Mr. WELTNER. Well, what does it mean to an ordinary person who has a cross burned on his front yard?

Mr. WOODLE. I couldn't speak for nobody but myself. I don't know what it would mean to you or some other fellow.

Mr. WELTNER. Thank you.

Mr. POOL. Did the cross-burning on your front yard, did that represent a threat to you or your family?

Mr. WOODLE. I had already had the threat, and when I got this little telephone call, I was—I mean, as far as the cross-burning, it was just—and it was just another thing, as far as its worrying me any more, worry didn't come on to me account of that.

Mr. POOL. You didn't consider that an additional threat, then, or did you?

Mr. WOODLE. No.

The CHAIRMAN. Proceed.

Mr. MANUEL. Reverend Woodle, with further reference to the telephone call which you described, from the person whom you identified as Boyd Hamby, would you tell the committee what else, if anything, was said in that conversation?

Mr. WOODLE. Let me first clarify that I don't know it was Mr. Hamby on the phone. Because he was on the other end of the line, I wouldn't see him.

I just took for granted he was, and he identified himself as that, and I have heard so many times and so many different lies, I don't know what to believe sometimes, so I took it for granted it was him, but I couldn't swear on an oath that it was him.

The CHAIRMAN. He said he was?

Mr. WOODLE. Yes.

Mr. MANUEL. The person on the phone identified himself?

Mr. WOODLE. As Mr. Hamby.

It might not have been. It might have been somebody else.

Mr. POOL. You haven't ever talked to Mr. Hamby on the phone before? You had no way to recognize his voice?

Mr. WOODLE. Yes, I have talked to him before on the phone. It sounded like his voice. Personally, I believe it was, but I have got no way of swearing to it.

Mr. MANUEL. But the person did identify himself as Boyd Hamby?

Mr. WOODLE. Yes.

Mr. MANUEL. Did anything else transpire in that telephone—

Mr. WOODLE. Well, there was a pretty good little conversation going on.

It amounted to several words.

Mr. MANUEL. Would you briefly tell the committee what was said?

Mr. WOODLE. Well, he said that I was ordered to get out and leave us alone, and I asked him who "us" was, and he never told me who "us" was, and I told him we will play the game any way you want to play.

I told him, "My dues is paid, yours is, and I don't think nobody has got a right to throw a man out without reason."

I told him, "We will play the game any way you want to play it. You name it. We'll play it."

When you get pushed around and pushed around, you know, you can rub a sore too much, and you just take too much.

After I had went out and put my life in an effort to try to be a man of honesty, and I got enough, in that great religious organization.

Mr. MANUEL. Reverend Woodle, when you appeared on the CBS program on the Ku Klux Klan, you were asked, "Do some of the Klan leaders misuse the people's money?"

Will you now please answer that question for the committee?

Mr. WOODLE. It is according to what you call misusing money. I guess they just take it to do what they please with it.

I mean, it's theirs, after they get it, and I don't figure—I guess it is theirs to do what they please. I mean, I don't hardly know how to answer that, but—

Mr. MANUEL. Well, do you have any knowledge of where the money goes, and what it is used for, after it is taken in by the leadership?

Mr. WOODLE. Personally, I got a \$20 check one time from Mr. Jones on a 3-day trip for about 250 miles, and for myself, I bought gas on credit to go to rallies, and go to rallies, and go back and forwards, to try to support, and what they do with it, outside of that \$20, I don't know what they do with it.

Mr. MANUEL. Well, does the leadership of the Klan keep their membership informed of their activities? Regularly? To your certain knowledge?

Mr. WOODLE. If they keep the members informed, in their activities? Now, what you mean, I don't quite get it.

The CHAIRMAN. He is talking about finances, I take it.

We are now talking about finances. Is the membership kept informed as to what is done with the money? Do they get a monthly report, or every 6 months, which indicates the realm receives so much money, and here is what they spend it for?

That is what he means, I think.

Mr. WOODLE. Not to my knowledge, there is no way, none of that is—

The CHAIRMAN. And that is why you say from all you know, they do what they please with the money?

Mr. WOODLE. That's right. As far as I know, nothing to that effect. I have no records of nothing, never heard nothing to that effect, that they ever report on nothing, or nothing of the kind.

Mr. POOL. They never do have the treasurer get up and read a treasurer's report, or any thing like that?

Mr. WOODLE. Not to my knowledge, no.

The CHAIRMAN. And you attended many rallies, but besides your own Klavern?

Mr. WOODLE. Yes. I would go to about all the rallies. I felt like that I was wanted, and after I got in the Klan and saw the good people in the Klan, I tried to preach the truth to them, be truthful to them, and honest with the people.

I don't think a Klansman can say I wasn't honest to him, and tried to be truthful with him at all times. I took an oath to be honest, but I didn't take no oath for people to call me up and cuss me and lie on me.

I didn't take no oath for people out taking poor people for their money. I didn't take no oath to that effect, and just go out and lie on people, and accuse them of being in the Government, the Government paying them, I didn't take no oath to stand for nothing like that.

I took an oath to stand like a man, and I think that's what a man ought to stand like—a man.

The CHAIRMAN. And you are standing like a man here today under oath.

Mr. WOODLE. Trying to, doing my best.

The CHAIRMAN. Well, at these rallies, in the field, as you call them, now away from your own Klan, where you had speakers, and where money was raised, and where on one occasion at least a man told you he was given a \$50 bill to put in the kitty to—

Mr. WOODLE. Try to lure others.

The CHAIRMAN. Lure others—

Mr. WOODLE. In other words, I say, deceiving them, bewitching them.

The CHAIRMAN. That is right, to deceive them, to bewitch them.

Now, at those rallies, after they picked the money, did they say, well, in all the rallies together, we received so many dollars, and we want to tell you what we did with those dollars? Did they tell you that kind of thing?

Mr. WOODLE. Yes, a couple of occasions, they did. Two or three times, they done that, how much they had received. They sure did.

The CHAIRMAN. Did they put that on a piece of paper, or did they just say it?

Mr. WOODLE. Just said it, or now what they had on the piece of paper, I don't know.

The CHAIRMAN. They didn't give you a statement?

Mr. WOODLE. No.

The CHAIRMAN. Written out, and said, "We received so much money in North Carolina, or in the Klavern, or this month, and here is what we did with the money," and put that in writing?

Mr. WOODLE. Not to my ability.

The CHAIRMAN. Go on.

Mr. MANUEL. Now, Reverend Woodle, as a person who has traveled with other Klan leaders to rallies, and so forth, could you tell the committee how these leaders live when they are on the road, traveling?

Mr. WOODLE. What do you mean in "how they live"?

Mr. MANUEL. What kind of—

Mr. WOODLE. Of condition they live?

Mr. MANUEL. That is right.

Mr. WOODLE. First class. Rib eye steaks. Cadillacs.

In my opinion, that's what it is. I mean, it might be different. They might not have it, but in all indications, that's what I seen.

The CHAIRMAN. They lived "high on the hog."

Mr. WOODLE. And then on other occasions, I saw poor men out on the side, can't hardly pay their bills, supporting it, and promising you, "We are going to give you the victory. We are going to stand. We are going to stand," but ain't nobody found out what they are going to stand for.

Burning a cross, I know that. I don't know what else, and I don't appreciate it.

Mr. POOL. Most of them drive Cadillacs?

Mr. WOODLE. And eat rib eye steaks, and live in first class motels. In what I saw.

Mr. POOL. Do very many of them wear diamonds?

Mr. WOODLE. Pretty good-sized ones, yes, and I don't imagine they had to buy theirs on credit, like I did.

Mr. POOL. How about their clothes? Did they go in the best clothes, I guess?

Mr. WOODLE. It looks very good.

But don't misunderstand me. A man's worth is his heart, but don't tell me you are standing against integration and for the Christian religion, and that's two things you never touch. If they do, I don't know—not in North Carolina—know of it.

In my honest opinion, the way I see it, come into town this month, have a rally, get all the money you can get, and get out, and say, "Now, you folks work hard, get all the members you can. We will be back next year for another rally."

And it's not because people really want it that way. People is deceived. It is just like a man that is drowning. They see this thing come along. They grab the first limb coming along.

I am afraid there—there are a lot of good, honest people. If I knowed what I know today, I would have been somewhere else.

I was misled, and I hate that I influenced people to be misled, and a lot of them have come and told me I influenced them to join it, and I hate I done it, and I have saw my mistake, and I hate it.

Not that I don't say we don't need a program. I am for the program, but let's don't say we are doing one thing, and doing something else.

That is where I oppose it at. I think a bricklayer ought to lay brick, and if a man's got a program to oppose something, I think it ought to come forth. I don't think it ought to be rode out in Cadillacs.

Mr. MANUEL. Now, Reverend Woodle, are you, and since the time that you left this organization, are you in fear of your life?

Mr. WOODLE. Well, I am expecting—at any time, anything happens won't surprise me. And I am looking for it.

But I believe the Lord will take care of me. If He's not able, I am ready to go, anyhow. If God will let a God-cusser run over me, I am ready to go.

I believe God will protect me. I believe He will cause the man to stumble, that I can see him first, or something, and with God as my helper, I will have something around.

Mr. MANUEL. Do you have any reason or indication to believe that certain specific individuals would do you bodily harm, either you or your family?

Mr. WOODLE. I believe if a man will deceive a poor man that can't hardly pay his bills, look out for anything.

Mr. MANUEL. Do you feel threatened by any specific individual whom you have known within the Realm of North Carolina or within the whole organization of the United Klans of America?

Mr. WOODLE. I am real suspicious of several people.

Mr. MANUEL. Reverend Woodle, what is the extent of your actual fear, and who is it that you do fear, within the Klan?

Mr. WOODLE. I don't actually fear no man that's openly and that I have been put wise to, that's certain, but you can look for it to come from out of town, or most anywhere.

In my opinion, look for it anywhere. When I go out the door of a morning, I am looking in the bushes to see what might be there. And I am expecting to live that way the rest of my life, but I am ready to stand that way.

The CHAIRMAN. Why are you suspicious?

What?

Mr. WOODLE. Well, when you get a telephone call that people's hired to do away with you, and a cross is being burnt in your yard, and people don't have no respect for children, women, dogs, or people's children with nothing to eat, you have to beware of that.

That's Castro's policy—Communists.

Mr. POOL. Do you know of any acts of violence that these people have committed on other people?

Mr. WOODLE. No, sir.

Mr. POOL. That's not why you are afraid of them? You are afraid of them for these other things?

Mr. WOODLE. On general principles. On just general principles, just take everything and put it in a pot, and that's what you have got.

But don't misunderstand me, now. I believe .98 percent of the people is honest and sincere. I believe the most of them was.

A man kept coming to me and persuading me, "This is the organization. We need you. You will stand; we want you."

And everything he told me about the organization before I got in it, not one thing he told me proved out to be true. Not one item. That the man had gotten me to join the Klan proved to be what he said it was.

Mr. POOL. So you were speaking of some of the leaders in the Klan when you mentioned these things?

Mr. WOODLE. In other words, a leader leads his men to victory. A dictator drives them to captivity, in my opinion. A lot of difference in a leader and a driver.

The CHAIRMAN. Go on.

Mr. MANUEL. Reverend Woodle, while you were a member of the Lexington Klavern, did you buy a robe?

Mr. WOODLE. No, sir.

Mr. MANUEL. Was any attempt made to get you to buy a robe?

Mr. WOODLE. Some fellow said they would pay for me a robe, but I told them I didn't want one, but it never did come through.

I told them I didn't do nothing I was ashamed of; about 4 years ago, I quit doing what I was ashamed of, that's the reason I used to hide when I would do something I didn't want nobody to know, and I quit that.

Mr. MANUEL. Now, other than your speaking activities, to rallies and the like would you please inform the committee of your other activities as a member of the Realm of North Carolina UKA?

Mr. WOODLE. Didn't have no other activities.

Mr. MANUEL. That is all you did, was speak?

Mr. WOODLE. At the rallies.

Mr. MANUEL. At the rallies?

Mr. WOODLE. Yes.

Mr. MANUEL. Why were you selected to speak at rallies?

Mr. WOODLE. Well, the fellow just called on me, and I would get up and open the Book and preach.

Mr. MANUEL. And who was it who requested you to speak?

Mr. WOODLE. Well, whoever was taking care of it—

Mr. MANUEL. At each rally?

Mr. WOODLE. Whoever was calling the speakers to the platform. It would be different ones at times.

(Discussion off the record.)

Mr. WELTNER. Mr. Woodle, you stated a few moments ago that your only activities with the Realm of North Carolina were to attend rallies, and you have also stated that at the rallies there was an effort made to collect funds from the audience.

Do you know whether any of the money collected at those rallies was ever turned over to the local Klavern, that is, the local unit of the Realm of North Carolina in the vicinity where the rally was held?

Mr. WOODLE. As far as I know, and in the reports, you know, what you hear while you are traveling, you know, it all went one way.

Mr. WELTNER. Which way was that?

Mr. WOODLE. However Mr. Jones—I don't have no knowledge of any local outfit keeping any of the money that is took up at a rally.

You see, in this, I believe that when you get a pearl, then you get a phony; when you get the real Klan, then you get a phony Klan.

That's someone trying to imitate and deceive the people, and they all don't work alike, in my opinion.

Mr. WELTNER. As far as you know, all of the money collected went to the state office, and none of it stayed to promote Klan activities in the area?

Mr. WOODLE. As far as I know, that's right.

Mr. WELTNER. Now, these rallies were held to generate new members and to expand the membership of the local Klans; were they not?

Mr. WOODLE. I believe the rally was. It seemed to be that way, but my opinion, the rallies was held to agitate the people.

Mr. WELTNER. Was there any—to your knowledge, was there any—action taken by the state officers at the rallies to organize locally, or did they just move on to somewhere else?

Mr. WOODLE. In my opinion, just to move on out. Get what you can, and go back, "I'll see you in a few more months, if you can get enough people together to have another rally."

That is my opinion. I don't know. That's how I take it.

Mr. SENNER. Mr. Chairman, I have one question.

Reverend Woodle, at any of these rallies that you attended, did any of the speakers advocate violence against integration or the use of violence by the Klan against integration?

Mr. WOODLE. I believe that's what has got the most of the people deceived. They are using that as a screen. Making the people think they are going to do something about integration. While they are doing the work the other way.

That is my opinion.

Mr. SENNER. I take it, then, your answer is that violence was preached?

Mr. WOODLE. No, not as I know of. That violence, never no indication of it. It is deceit, not violence.

Mr. SENNER. What did they preach? I mean, what did they lecture or talk about, these other speakers, relative to integration?

Mr. WOODLE. Sir?

Mr. SENNER. What did these speakers talk about, as a preventive measure against integration, at these rallies?

Mr. WOODLE. That's what has got the organization caught. Nothing against that, but using that to get their white people to rally behind them.

In other words—

The CHAIRMAN. Mostly for fund-raising?

Mr. WOODLE. In my opinion, just to get what we can out of the people, and you go to—and we are going home.

That's my opinion. I don't know the other man's motive. I don't know your motive, or his, but in my opinion, it's to draw, to agitate the white people, to get them to think we are standing against integration, we are going to stand for right, we are going to give you the victory, we are going to take care of your schools, your churches, they are not going to integrate, join our organizations; but at the end, no plan, nothing to do, for that. Nothing whatsoever, to my ability.

If there is anything in the State of North Carolina to stand against integration, by this United Klans of America, Incorporated, the reason I joined the organization, we have no word of where that takes place.

Mr. SENNER. Well, I take it that apparently the organization in and of itself is using the money, in your opinion, not to carry out the purposes in which they are telling the people at the rally. Is that correct?

Mr. WOODLE. Well, if anywhere they had a plan against integration, I don't know where it's at. You fellows might know, but I don't.

Mr. SENNER. Well, to raise money, do speakers at these rallies, on behalf of the United Klans of America, Incorporated, specifically or generally, outline methods in which they are going to take care of the integration problem in the schools, the hospitals, and other places?

Mr. WOODLE. You will have to ask that again. I didn't catch that.

Mr. SENNER. Do the speakers at these rallies advocate any plan in which they are going to take care of the problem of integration?

Mr. WOODLE. That's where the secret is.

If the poor people that's in it could wake up and see they don't have no plan, that would change the course, they would go join an organization that had a plan to do something.

That's my interpretation.

Mr. SENNER. I understand your opinion, that the United Klans has no plan.

Mr. WOODLE. Not to my ability. Under no condition.

Mr. SENNER. Now, at these local rallies, are there speakers on behalf of the Klan that are advocating some plan?

Mr. WOODLE. Oh, they say, "We are the organization. We are going to do it."

Mr. SENNER. Do they tell how they are going to do it?

Mr. WOODLE. That's where the lack of leadership comes.

You need a platform to go forth, a program. That's the reason. We don't have it, see, and the poor people, just like a man said a while ago, a man drowning, he will be grabbing anything that comes along, and that's what the people is doing, in my opinion, because there is some fine people in that organization, and there is some good Christian people in it, and a lot of people have been misled, like I have, I am afraid.

Mr. SENNER. Well, have you heard any speaker at a Klan meeting or rally advocate violence against integration?

Mr. WOODLE. No.

Mr. SENNER. Have they advocated any type of plan to stop integration?

Mr. WOODLE. Nothing as I know of.

You people know more about it than I do. I know nothing about whether—that's the reason I say, society's wrong somewhere.

A bricklayer ought to—I go out to lay brick, if I never lay none, people will say, "He's a phony." And I believe if the United Klans of America was standing against integration, they ought to have some kind of a program.

People run out here 2 or 3 years, and nothing done. I don't understand it. I mean, it gets me confused.

The CHAIRMAN. Will you yield to me?

Mr. SENNER. Yes.

The CHAIRMAN. What you are saying, as I understand, is that whereas that was your purpose in joining, and that was what was told you was the plan——

Mr. WOODLE. Yes.

The CHAIRMAN. —that instead of putting that plan into effect, they are using the poor members to get more money, and to highball.

Mr. WOODLE. Now, that is my opinion. I don't know the other man's motive. I don't know your motive, or no Klan member's motive, but I had a motive, and I know what my motive was.

It don't work that way. It worked different. I have spent more grief, more sorrow, more aches and pains, since I have been in that organization than I have in the 41 years of my life.

Mr. SENNER. Reverend Woodle, if they burned any crosses at these rallies that you attended——

Mr. WOODLE. Oh, yes.

Mr. SENNER. What was the purpose of burning a cross at the rally? What was the symbolic purpose?

Mr. WOODLE. I guess to kind of excite the people, to bring on excitement, enthusiasm, or whatever.

I mean, I don't know the purpose. That was just my opinion, as far as it taking care of our school situation, or anything, I don't know what good it done.

It might have done somebody some good, but I don't know. Just a little more of that Christian religion, tow sacks and kerosene and crosses.

I don't know the motive. Maybe this could—somebody else, because I don't know.

Mr. SENNER. At these rallies that you attended, did you estimate what the crowds were? They varied from, say, a hundred to more than a hundred?

Mr. WOODLE. No, sir. I have no—I never considered that. The crowds, or—I couldn't estimate it, to start with. Sometimes bigger crowds, smaller crowds, and different crowds.

Mr. SENNER. But it would be—What was the smallest crowd? Fifty or less?

Mr. WOODLE. Wouldn't have the slightest idea.

Mr. SENNER. The largest crowd, would you have an idea?

Mr. WOODLE. No, sir, I wouldn't.

Mr. SENNER. How many of these rallies did you attend?

Mr. WOODLE. Sir?

Mr. SENNER. How many rallies did you attend?

Mr. WOODLE. Well, I attended them all, until about 6 or 8 weeks ago, this year, but the first one, I didn't attend the first one.

Mr. SENNER. All but one, and how many would that be?

Mr. WOODLE. Then I attended the rest until I got out.

Mr. SENNER. Well, could you make an estimate of how many rallies you attended?

Mr. WOODLE. Oh, say, 12, 15.

Mr. SENNER. Thank you very much.

That's all the questions I have, Mr. Chairman.

The CHAIRMAN. Thank you very much. We appreciate your appearance.

And you were in the room a while ago when I talked about the meaning of a subpoena? In other words, you were served with a subpoena?

Mr. WOODLE. Yes, sir.

The CHAIRMAN. To come here. You did, and you testified under oath.

Mr. WOODLE. Yes, sir.

The CHAIRMAN. Now, I want to continue that subpoena, till January 1, in case something develops where we might have to call you back.

Mr. WOODLE. Yes, sir.

The CHAIRMAN. Anybody who would threaten you, or who would do any acts to you or your family, because you came here and testified, they would be violating a Federal law, and if that should happen to you, let me know, and we will handle it.

At least we will take the proper steps to protect you. That is a violation of Federal law, to try to intimidate or to coerce or threaten a person who comes forward and testifies before a court or a jury, or a congressional committee. And I want to see that that law is respected.

With that, thank you. We deeply appreciate your coming here, and your courage, and your contribution to these hearings, by reciting your individual experiences, and we are very grateful to you.

Thank you very much.

Call your next witness.

Mr. APPELL. Mr. Chairman, I would like to call to the stand Boyd Hamby.

The CHAIRMAN. Mr. Buchanan?

Mr. BUCHANAN. Before this witness is called, Mr. Chairman, I would like to read a portion of a telegram I have just received:

Would appreciate your help in making clear the Alabama Rescue Service mentioned in the KKK hearing is not recognized or known by the Alabama Association of Rescue Squads. The selfless and heroic members of local rescue squads have been somewhat embarrassed by association in the public mind with the KKK front. We fully support hearings.

and so forth.

And that is signed Brandt Ayers, B-r-a-n-d-t A-y-e-r-s, who is managing editor of the *Anniston Star*, and may I say, Mr. Chairman, that these rescue squads, in many of the smaller communities, especially, render a great public service, and they have no connection whatsoever with the Alabama Rescue Service identified in this hearing.

The CHAIRMAN. Well, you may inform your constituent, the good editor, that the Alabama Rescue Service is a cover name for the United Klans of America.

I appreciate your contribution, and we also appreciate very much the interest and support of that newspaper.

Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAMBY. I do.

The CHAIRMAN. Proceed.

Identify both the witness and his counsel.

**TESTIMONY OF BOYD LEE HAMBY, SR., ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. Would you state your full name for the record, please, sir?

Mr. HAMBY. Boyd Lee Hamby, Sr., sir.

The CHAIRMAN. Henry?

Mr. CHALMERS. H-a-m-b-y.

Mr. APPELL. Are you here in accordance with a subpoena served upon you by a United States marshal at 10:45 o'clock a.m. on the 11th day of October 1965?

Mr. HAMBY. Thereabouts, sir.

Mr. APPELL. Are you represented by counsel?

Mr. HAMBY. Yes, sir; I am.

Mr. APPELL. Will your counsel please identify himself for the record?

Mr. CHAMBERS. Yes, sir. I am Lester V. Chambers, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Hamby, when and where were you born?

Mr. HAMBY. Sir, I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in the violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. This is preliminary, a foundation question. I order and direct you to answer it.

Mr. HAMBY. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Hamby, did you know the gentleman who preceded you on the witness stand?

(Witness confers with counsel.)

Mr. HAMBY. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Hamby, you were, as I noted, seated here when he said that—

The CHAIRMAN. Well, name him. When "he."

Mr. APPELL. When Mr. Roy Woodle testified that he received a call from a person whom he identified as Boyd Hamby, and that he was advised by Boyd Hamby that Boyd Hamby had the authority to "do you in."

Did you make such a telephone call to Mr. Roy Woodle?

Mr. HAMBY. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I think the actual words of the previous witness were that the gentleman, Mr. Hamby, "had authority to do away with" him. So recast the question. Those words actually are the words.

Mr. APPELL. Did you make a telephone call to Mr. Roy Woodlee advising him that you had the authority to do away with him?

Mr. HAMBY. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Let me make it perfectly clear, Mr. Hamby, that Mr. Woodlee, when he made that statement, in your presence, with you in the room, was under oath.

Now, you have the opportunity to deny that statement under oath. And so far as this committee is concerned, it wants the truth, and if you would decide to deny that statement, then obviously we would have two directly contradictory statements under oath and one would be false, and then one of the two would be subject to the pains and penalties of perjury. And let me advise you that I would not hesitate to send the record to the Department of Justice for investigation, and to take appropriate perjury action.

With that statement, I give you the opportunity to deny Mr. Woodlee's statement under oath, just made a moment ago.

He doesn't avail himself.

Go on.

Mr. APPELL. Mr. Hamby, I put it to you as a fact, and ask you to affirm or deny the fact, that you are currently the grand night-hawk of the Realm of North Carolina.

Mr. HAMBY. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the amendments of the Constitution of the United States of America.

Mr. APPELL. Mr. Hamby, I put it to you as a fact, and ask you to affirm or deny the fact, that in the position of grand night-hawk, that you have a responsibility with respect to investigations conducted by the Klan in North Carolina, a leadership responsibility in that area.

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that heading an advisory committee in your position of grand night-hawk, that such things as the burning of crosses and other things come under your direct responsibility.

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

Mr. APPELL. Mr. Hamby, I particularly noticed that you were in the room yesterday when I read a list by counties of crosses burned in

the State of North Carolina, and in your position of grand night-hawk, I ask you whether you played any role in any of the cross-burnings mentioned in the testimony yesterday.

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

The CHAIRMAN. Did you play any part in connection with the burning of a cross on the property of the previous witness, on or about September 22?

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

Mr. APPELL. Mr. Hamby, I hand you a signature card of the Davidson County Sportsman Club, received from the Lexington State Bank, Lexington, North Carolina, in compliance on the part of the bank with the subpoena duces tecum, which shows the signatures, authorized signatures to this account, Boyd L. Hamby, Charles R. Smith, Mack Grant.

I hand you this card and put it to you as a fact, and ask you to affirm or deny the fact, that that is your signature.

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

(Document marked "Boyd Hamby Exhibit No. 1" follows:)

BOYD HAMBY EXHIBIT NO. 1

NAME	Davidson County Sportsman Club		Number of Signatures
			Boyd Hamby
			Charles R. Smith
			Mack Grant
FIRM 375-607(2)			
Below are duly authorized signatures, which you will recognize in the payment of funds or the transaction of other business for our account. Depositor agrees to the rules and regulations governing commercial accounts as set out on the reverse side hereof.			
Signature	Boyd L. Hamby		
Signature	Charles R. Smith		
Signature	Mack Grant		
Signature			
Address	60 Brown St.	Phone	CH 32322
Line of business			
Other Bank Accounts	Has personal account		
References			
REMARKS	Send Bank Statement to P.O. Box 481		
Date Account Opened	1-13-04	Initial Deposit	7.00
Date Account Closed	Nov. without 2564		14

Mr. APPELL. The signature card to this account was changed through an authorization dated 2-25-64.

I hand you that card, and ask you if it is not a fact that the change of the authorized signatures to the account of the Davidson County Sportsman Club became Wayne Tucker, William L. Lowery, and Matthew Smith.

(Witness confers with counsel.)

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

(Document marked "Boyd Hamby Exhibit No. 2" follows:)

BOYD HAMBY EXHIBIT NO. 2

PAGE

Davidson County Sportsman Club

Number of Signatures
Required
Checks _____
Notes _____

Below are duly authorized signatures, which you will recognize in the payment of funds or the transaction of other business for our account.
Depositor agrees to the rules and regulations governing commercial accounts as set out on the reverse side hereof.

Signature Wayne Tucker

Signature William L. Lowery

Signature Matthew Smith

Signature _____

Address 200 N. Salisbury St Phone _____

Line of business _____

Other Bank Accounts _____

References _____

Now Authorized as 2/25/64

REMARKS _____

Date Account Opened _____ Initial Deposit _____

Date Account Closed _____

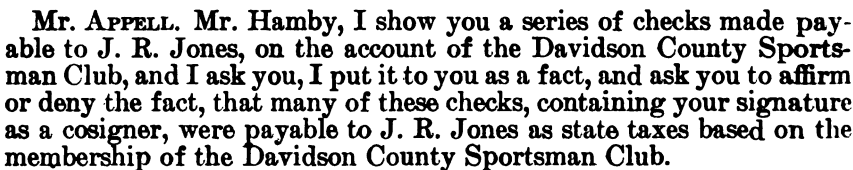
Mr. APPELL. I show you a check imprinted "Davidson County Sportsman Club, P.O. Box 481, Lexington, N.C.," check "No. 5," made payable to the Alabama Rescue Service, in the amount of \$3.75.

I can't read the one signature, Mr. Chairman, but the second signature on this check is shown as Boyd L. Hamby.

I put it to you as a fact, and ask you to affirm or deny the fact, that this was a check payable for imperial tax by the Davidson County Sportsman Club to the United Klans of America, in the name of the Alabama Rescue Service.

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

BOYD HAMBY EXHIBIT No. 3



(Documents marked "Boyd Hamby Exhibit No. 4" and retained in committee files.)

All right.

THE CHAIRMAN. That will be done, and let the reporter record that all documents now being described and those that have previously been referred to throughout the hearings be inserted in the record at the respective places where they were commented on and exhibited.

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

Mr. APPELL. Mr. Hamby, are you what is now known within the Klan Realm of North Carolina as a paid worker?

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

Mr. APPELL. Mr. Hamby, I show you a series of checks, 13 in all, each in the amount of \$150, starting with date of June 26, 1965, and concluding with the date of September 17, 1965, each in the amount of \$150, or 13 checks totaling \$1,950, and I put it to you as a fact, and ask you to affirm or deny the fact, that these checks were given to you as designated on the checks for salary and expenses as a paid worker of the Realm of North Carolina.

(Checks handed to witness.)

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

(Checks previously marked "James Jones Exhibit No. 7-C." See p. 1720.)

Mr. APPELL. Mr. Hamby, did you know as a member of the Klan Joseph DuBois, who was on the stand before Roy Woodle?

Mr. HAMBY. Sir, I respectfully decline to answer that question, based on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of this witness.

(At this point Mr. Buchanan left the hearing room.)

(Discussion off the record.)

The CHAIRMAN. The witness is excused.

Mr. CHALMERS. Mr. Chairman, may I ask, sir, if it will be permissible for him to return to his home?

The CHAIRMAN. It is.

Mr. CHALMERS. Would the chairman desire to have him continue under subpoena?

The CHAIRMAN. No.

Mr. CHALMERS. All right, sir. Fine.

Thank you, sir.

The CHAIRMAN. Off the record.

(Discussion off the record.)

The CHAIRMAN. Call your next witness.

Mr. APPELL. I will call Sonny Fisher.

The CHAIRMAN. The committee will stand in recess for 10 minutes. (Brief recess.)

The CHAIRMAN. The subcommittee will please come to order. Call your next witness.

Mr. APPELL. Mr. Chairman, I would like to call Sonny Fisher.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give shall be truth, the whole truth, and nothing but the truth, so help you God?

Mr. FISHER. Yes, sir.

TESTIMONY OF JAMES HUEY (SONNY) FISHER, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. State your name for the record.

Mr. FISHER. James Huey Fisher.

Mr. APPELL. Are you popularly know as "Sonny" Fisher?

Mr. FISHER. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer may tend to incriminate me in the violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Of course this answer doesn't hold up. If you admit that you are James, you ought to be able to admit that you are "Sonny." But I won't belabor it, because I will get the same reply, meaning I won't order you to answer.

Mr. APPELL. Are you represented by counsel?

Mr. FISHER. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Fisher, your subpoena called upon you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service and the Pitt County Improvement Association, in your possession, custody or control, or maintained by you or available to you as an officer or employee of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and Pitt County Improvement Association.

The subpoena called for you to bring with you and produce said documents, and I now demand their production.

Mr. FISHER. Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 21, 1963, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 21, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my right as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, before I ask for a direction, I would like to ask whether or not Mr. Fisher was here when our opening statement was read.

The CHAIRMAN. Counsel, I understand that our previous stipulations will obtain in this case, namely, that you stipulate that your client was in the hearing room and/or is familiar with my opening statement disclosing the pertinency of these records, and you further stipulate that for reasons previously indicated, the committee does not accept his objection or reasons for refusing to produce those documents, and that we do not in fact accept the refusal. Therefore, the position of the committee is that he subjects himself to a citation for refusing.

Mr. CHALMERS. Yes, sir, it is so stipulated for my client. I conferred with him with respect to that matter and he understands it and we certainly will apply the same stipulation to this.

The CHAIRMAN. And included in the stipulation as previously entered into between counsel and the chairman, is the fact that he is familiar with my opening statement setting forth, also, besides pertinency, the legislative purpose of this hearing, as well as the fact that he is being asked to produce these documents in the representative capacity stated in the subpoena.

Mr. CHALMERS. In the subpoena, yes, sir, and let me say that he is familiar with the opening statement.

The CHAIRMAN. In full?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Counsel, I understand that there is one more document.

Mr. APPELL. We only demand as to paragraph 1.

The CHAIRMAN. Sir, I order and direct you to produce the documents described by Mr. Appell, and order them to be produced pursuant to the subpoena served upon you in the capacity indicated.

Mr. FISHER. Sir, I respectfully decline to deliver to this committee any and all records as requested by this committee under subpoena dated October 21, 1965, for that information is not relevant nor germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution No. 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 21, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violations of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Fisher, under section 2 of the attachment which is made a part of the subpoena, you are ordered to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as an officer or employee of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, and the Pitt County Improvement Association, the same being in your possession, custody or control.

I now demand that you produce under the terms of the subpoena the documents called for in part 2.

Mr. FISHER. Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 21, 1965, for that information is not relevant nor germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 21, 1966, for the reason that I honestly feel that to do so, the same may tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Counsel, it is understood that we make the same stipulation relating to this paragraph as we did to paragraph 1?

Mr. CHALMERS. It certainly is; yes, sir.

The CHAIRMAN. I order you, sir, and direct you to produce the records called for by paragraph 2 in the attachment to subpoena, directing you to produce those records.

Mr. FISHER. Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 21, 1965, for that information is not relevant nor germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution No. 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 21, 1965, for the reason that I honestly feel that to do so, the same may tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Fisher, in accordance with the subpoena duces tecum on the Edgecomb Bank and Trust Company of Tarboro, North Carolina, there was produced certain checks and other records, ledgers and signature cards in connection with an account in the name of the Pitt County Improvement Association. Upon receipt of the documents from the bank, we noted that the first signature card was not included in the documents and had apparently been destroyed. I would like to read to you three paragraphs from a letter addressed to the committee of September 17, 1965:

1. At the inception of this account we honored signatures drawn against this account by two people, both signatures being required, namely R. O. Bryan [B-r-y-a-n] and Sonny Fisher (Exhibit A—check dated 10-20-64 in the amount of \$56.00 is an example).

2. Under date of February 24, 1965 a new signature card was executed bearing three names, with the authority to honor any two of the three (Per Exhibit B attached). I believe we mailed you a copy of this signature card. The names appearing on the signature card of 2-24-65 are R. O. Bryan, Sonny Fisher and A. T. Bowen [B-o-w-e-n].

3. The signature card of 2-24-65 is current and still in effect.

I ask you, Mr. Fisher, if the statement reported to the committee by the bank is factual.

Mr. FISHER. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Documents marked "James Fisher Exhibit No. 1." The signature card follows:)

JAMES FISHER EXHIBIT No. 1

AUTHORIZED SIGNATURE OF

PITT COUNTY IMPROVEMENT ASSN. FARMVILLE, N.C.

For the Transaction of Business with

EDGECOMBE BANK & TRUST COMPANY

FOUNTAIN, N. C.

TARBORO, N. C.

OAK CITY, N. C.

In receiving money for deposit or collection, this Bank acts only as depository's collecting agent and assumes no responsibility beyond the exercise of due care. All money are credited subject to final payment in cash or solvent credits. This Bank will not be liable for default or negligence of its duly selected correspondents nor for losses in transit, and each correspondent so selected shall not be liable except for its own negligence. This Bank or its correspondents may send money, directly or indirectly, to any Bank including the payer and accept the draft or credit as conditional payment in lieu of cash; it may charge back any item at any time before final payment whether returned or not, also any item drawn on this Bank not good at close of business on day of deposit.

SIGNATURE

SIGNATURE

ADDRESS

BUSINESS

DATE Feb. 24, 1965

Introduced By

We hereby certify that this is an exact duplicate taken from the records of Edgecombe Bank & Trust Company, Fountain, N. C.-Branch Office, of Edgecombe Bank & Trust Company, Tarboro, N.C.

8-23-65

EDGECOMBE BANK & TRUST COMPANY

By: Jim T. Jackson
President

JOINT ACCOUNT-PAYABLE TO EITHER OR SURVIVOR

We agree and declare that all funds now, or hereafter deposited in this account are, and shall be our joint property and owned by us as joint tenants with right of survivorship, and not as tenants in common; and upon the death of either of us any balance in said account shall become the absolute property of the survivor. The entire account or any part thereof may be withdrawn by, or upon the order of, either of us or the survivor. It is especially agreed that withdrawals of funds by the survivor shall be binding upon us and upon our heirs, next of kin, legatees, assigns and personal representatives.

Witness our hands and seals this 23 day of FEB - 1965

WITNESSES: _____ (REAL)
_____ (REAL)

JOINT ACCOUNT-TWO OR MORE SIGNATURES REQUIRED

All moneys now or at any time deposited by us, with this bank to the credit of this account, are and shall be so deposited by us and received by the bank upon the following terms and conditions of repayment, namely, that the account thereof shall be paid by the

bank to us, or upon the written order of any _____ such persons so entitled to payment; and without reference to the original ownership of the moneys deposited, all withdrawals necessitate _____ of the following signatures:

James Fisher (2)
H. T. Thomas
R. O. Bryan

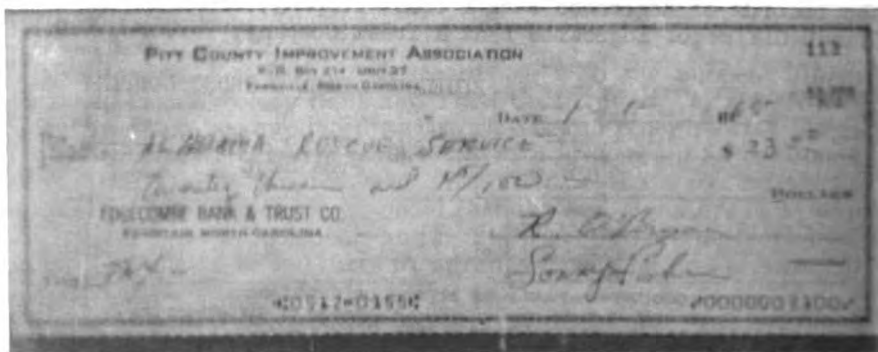
The second is Alabama Rescue Service, \$92.50, countersigned by the same persons, the purpose for which drawn is imperial tax. And the third check, dated 6/30/65 to Alabama Rescue Service, \$152.00, tax, the same signatures, and I put it to you as a fact, and ask you to affirm or deny the fact, that this money was forwarded by the Pitt County Improvement Association, of which you are one of the co-signers, as the imperial tax payable to the United Klans of America, Incorporated, under the cover name of Alabama Rescue Service.

Mr. APPELL. Yes, sir.

Mr. FISHER. Sir, I respectfully decline to answer that question based upon the ground previously stated.

(Documents marked "James Fisher Exhibits Nos. 2-A through 2-D," respectively. Exhibit No. 2-A follows; 2-B, C, and D retained in committee files.)

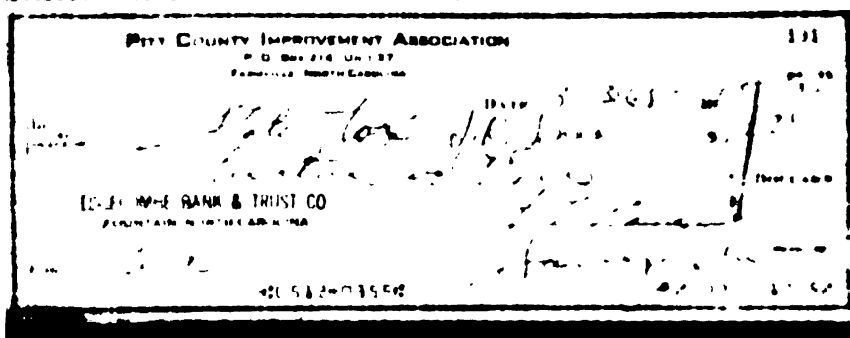
JAMES FISHER EXHIBIT No. 2-A



Mr. FISHER. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "James Fisher Exhibit No. 3" follows:)

JAMES FISHER EXHIBIT No. 3



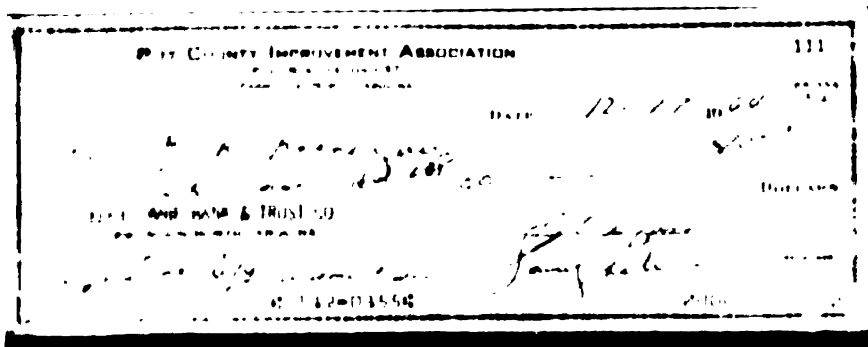
Mr. APPELL. I hand you a copy of a check dated 12/17/64, imprinted Pitt County Improvement Association, pay to the order of M. R. Kornegay, in the amount of \$100.00, the purpose for which drawn is, "Christmas Gift To James R. Jones."

I put it to you as a fact, and ask you to affirm or deny the fact, that you are one of the cosigners to this check.

Mr. FISHER. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "James Fisher Exhibit No. 4" follows:)

JAMES FISHER EXHIBIT No. 4

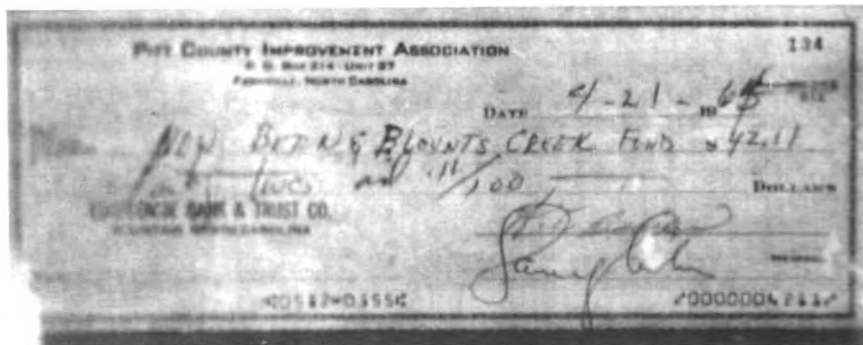


Mr. APPELL. Mr. Fisher, I hand you an additional check, copy of imprinted check of the Pitt County Improvement Association, dated 4/21/65, pay to the order of "New Bern & Blounts Creek Fund," \$42.11. The name of Sonny Fisher appearing as a cosigner. And I put it to you as a fact, and ask you to affirm or deny the fact, that this money was forwarded to this account for the purpose of helping to defray expenses of Klansmen involved in the New Bern bombing.

Mr. FISHER. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "James Fisher Exhibit No. 5" follows:)

JAMES FISHER EXHIBIT NO. 5



Mr. APPELL. Mr. Chairman, as a result of subpoena duces tecum we served a subpoena upon the Barrett Printing House, Wilson, North Carolina, for invoices and copies of material printed for the United Klans of America, Pitt County Improvement Association.

I would like permission to enter this material in the record at this point, and I wish to bring to the attention of the committee that the top secret solicitation of funds is one of the documents contained in this group of material which the Pitt County Improvement Association ordered printed by the Barrett Printing Company.

Also there are copies of the lotteries for certain prices, for which they sold tickets at the rate of \$1.00 per ticket.

The CHAIRMAN. The documents will be received at this point. As a matter of fact, I will reiterate to the reporter since I don't want to override the generality of what I already said, that these and all other documents previously exhibited and referred to, and those to come, without the necessity of saying it each time, will be printed in the record at the point they were exhibited and commented on.

(Documents marked "James Fisher Exhibit No. 6" and retained in committee files.)

Mr. APPELL. The staff has no further questions for this witness, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. CHALMERS. I take it he may be excused to return to North Carolina?

The CHAIRMAN. Yes.

Mr. FISHER. Thank you, sir.

Mr. APPELL. The next witness is William R. Walston.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WALSTON. I do.

**TESTIMONY OF WILLIAM RICHARD WALSTON, ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

Mr. APPELL. Will you please state your name for the record.

Mr. WALSTON. William Richard Walston.

Mr. APPELL. Are you appearing before the committee today in accordance with the subpoena served upon you at 1:20 o'clock p.m. on the 12th day of October 1965?

Mr. WALSTON. Yes, I am.

Mr. APPELL. Are you represented by counsel?

Mr. WALSTON. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record.

Mr. CHALMERS. Lester Chalmers, Jr., attorney at law, Room 501 First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Walston, under the terms of the subpoena served upon you, you are demanded to bring with you and to produce documents described on an attachment which is made a part of the subpoena, reading:

(1) All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, and Wilson County Improvement Association, in your possession, custody or control, or maintained by you or available to you as an officer or employee of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and the Wilson County Improvement Association.

I demand production of these records at this time, sir.

Mr. WALSTON. Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 21, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 21, 1965, for the reason that I honestly feel that to do so, the same would tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Now, Mr. Chalmers, I take it that the several stipulations we have previously made to the effect that your client is familiar with my opening statement, particularly those portions dealing with the pertinency of these documents and the legislative purpose for their requirements and the fact that they are being requested of him in the capacity indicated in the attachment to the subpoena served upon him, are now renewed?

Mr. CHALMERS. Yes, sir, my client is familiar with the opening statement and the other statements and stipulations, yes, sir.

The CHAIRMAN. Sir, I order and direct you to produce those documents.

Mr. WALSTON. Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 21, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in the subpoena dated October 21, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Walston, under part 2 of the subpoena, an attachment which was made a part of the subpoena, requires that you bring with you and produce:

(2) All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as an officer or employee of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officers of said organization, and the Wilson County Improvement Association, the same being in your possession, custody or control.

I demand that you produce the documents called for in section 2.

The CHAIRMAN. Mr. Chalmers, I take it that the stipulations we just made relating to paragraph 1 of the attachment to the subpoena duces tecum apply to this paragraph, too.

Mr. CHALMERS. It is so stipulated.

The CHAIRMAN. Sir, I order and direct you to produce the documents called for by paragraph 2 of the attachment to the subpoena duces tecum served upon you.

Mr. WALSTON. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 21, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in the subpoena dated October 21, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. The committee will stand in recess for 5 minutes. (A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Resume your examination, Mr. Appell.

Mr. APPELL. Mr. Walston, I hand you two signature cards supplied to the committee by the First-Citizens Bank & Trust Company of Wilson, North Carolina, in the account of the Wilson County Improvement Association, William R. Walston, W-a-l-s-t-o-n, Troy Walker,

W-a-l-k-e-r, M. E. P-o-y-t-h-r-e-s-s, G. E. Smiley, S-m-i-l-e-y, and Hoyt L. Waller.

I hand you these cards and put it to you as a fact, and ask you to affirm or deny the fact, that these are the signature cards of Wilson County Improvement Association, which is known within the United Klans of America, Realm of North Carolina, as Unit 31.

Mr. WALSTON. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Documents marked "William Walston Exhibit No. 1" follow:)

WILLIAM WALSTON EXHIBIT NO. 1

NAME	No. of Signatures Required
<u>Wilson Improvement Association</u>	<u>Association</u>
To FIRST-CITIZENS BANK & TRUST COMPANY	
<p>You are hereby authorized to recognize the signature below in the payment of funds and the transaction of other business in connection with my account. Said account is and shall be subject to your By-Laws, Rules and/or Regulations as they now or may hereafter exist, and you are expressly authorized to charge the account, without notice, for any service, collection, or other charges provided therein.</p> <p>It is hereby stipulated and agreed that any and all items deposited by the person, firm or corporation whose signature appears below are received by this Bank for deposit or collection and in so doing this Bank acts only as depositor's collecting agent and assumes no responsibility beyond the exercise of due care. All items are credited subject to final payment in cash or solvent credits. This Bank will not be liable for default or negligence of its duly selected correspondents nor for losses in transit, and each correspondent so selected shall not be liable except for its own negligence. This Bank or its correspondents may send items, directly or indirectly, to any bank including payor, and accept its draft or credit as conditional payment in lieu of cash; it may charge back any item at any time before final payment, whether returned or not.</p> <p>It is also understood and agreed that any items, deposited or otherwise acquired in due course, drawn on this Bank that are not good, may be charged back at any time, whether returned or not.</p> <p>It is further agreed that this bank is authorized to charge this account with a service charge in accordance with its rules. This is your authority to make an annual, semi-annual or monthly maintenance charge against the account, regardless of the amount on deposit and without regard to the activity or inactivity of said account.</p>	
Authorized Signature	<u>William R. Walston</u>
Authorized Signature	<u>May 1906</u>
Address	<u>7605 W. 1st St. Wilson</u> <u>Newton Park P.O. Box 366</u>

NAME	No. of Signatures Required
<u>Wilson County Improvement Association, Unit 31</u>	<u>Unit 31</u>
To FIRST-CITIZENS BANK & TRUST COMPANY	
<p>You are hereby authorized to recognize the signature below in the payment of funds and the transaction of other business in connection with my account. Said account is and shall be subject to your By-Laws, Rules and/or Regulations as they now or may hereafter exist, and you are expressly authorized to charge the account, without notice, for any service, collection, or other charges provided therein.</p> <p>It is hereby stipulated and agreed that any and all items deposited by the person, firm or corporation whose signature appears below are received by this Bank for deposit or collection and in so doing this Bank acts only as depositor's collecting agent and assumes no responsibility beyond the exercise of due care. All items are credited subject to final payment in cash or solvent credits. This Bank will not be liable for default or negligence of its duly selected correspondents nor for losses in transit, and each correspondent so selected shall not be liable except for its own negligence. This Bank or its correspondents may send items, directly or indirectly, to any bank including payor, and accept its draft or credit as conditional payment in lieu of cash; it may charge back any item at any time before final payment, whether returned or not.</p> <p>It is also understood and agreed that any items, deposited or otherwise acquired in due course, drawn on this Bank that are not good, may be charged back at any time, whether returned or not.</p> <p>It is further agreed that this bank is authorized to charge this account with a service charge in accordance with its rules. This is your authority to make an annual, semi-annual or monthly maintenance charge against the account, regardless of the amount on deposit and without regard to the activity or inactivity of said account.</p>	
Authorized Signature	<u>M. E. Poythress</u>
Authorized Signature	<u>G. E. Smiley</u>
Address	<u>Hoyt L. Waller Rt 2</u>

Mr. APPELL. Mr. Chairman, I would like to have entered into the record all of the checks made payable to James R. Jones, Wilson County Improvement Association. In order to save time, I am going to show the witness a copy of the imprinted check, Wilson County Improvement Association, Wilson, North Carolina, August 29, 1964, James R. Jones, \$205, signed Troy Walker and William R. Walston, something "on July," and I cannot read what that is, sir.

I show you this check, Mr. Walston, and put it to you as a fact, and ask you to affirm or deny the fact, that this check was drawn, countersigned, and made payable to James R. Jones.

The CHAIRMAN. Are they all on the same bank and payable to the same people?

Mr. APPELL. Yes.

The CHAIRMAN. Mr. Appell hands you the following checks with the same bank and the same payee, respectively, dated as follows, and in the following amounts:

Mr. APPELL. I am having difficulty on some of these checks, Mr. Chairman, with the dates, trying to read them. The date in May of 1964, \$4.50.

June 7, 1964, \$9.75.

June 17, 1964, \$50.00.

July 1, 1964, \$360.

August 14, 1964, \$49.

August 19, 1964, \$100.00.

August 29, 1964, \$205.

September 10, 1964, \$46.75.

September 16, 1964, \$50.00.

October 9, 1964, \$193.75.

The CHAIRMAN. He puts it to you as fact, and asks you to affirm or deny the fact, that all of these checks had your signature.

Mr. APPELL. No, they were all payable to J. R. Jones. The check dated May 1964 in the amount of \$4.50, and the check dated June 7, \$9.75 and June 17, '64, in the amount of \$50.00 and the check dated July 1, 1964, in the amount of \$360 do not contain the signature of Mr. Walston; the remainder do. They are all payable to Mr. James R. Jones.

The CHAIRMAN. They contain the signature required by the signature card previously identified.

Mr. APPELL. Yes, sir.

The CHAIRMAN. I think that I have previously directed these to the witness.

Mr. WALSTON. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Documents marked "William Walston Exhibits Nos. 2-A through 2-J," respectively; 2-J appears on p. 1881; balance retained in committee files.)

Mr. APPELL. Mr. Walston, I hand you a series of checks all made payable to the Alabama Rescue Service, on the imprinted checks of the Wilson County Improvement Association:

August 21, 1964, \$14.50.

June 9, 1964, \$0.95.

Mr. APPELL. Do you know James R. Jones to be Grand Dragon of the State of North Carolina?

Mr. WALSTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know Robert M. Shelton to be the Imperial Wizard of United Klans of America, and using as a bookkeeping cover name the Alabama Rescue Service?

Mr. WALSTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Walston, the *Charlotte Observer* of September 4, 1964, reporting on Klan activities in the North Carolina area reported that at a Klan rally near Salisbury, on August 8, William R. Walston of Wilson, "demonstrated the same talent" with respect to "going two ways at once," with respect to violence and nonviolence. They quote you as saying:

"We are opposed to violence to the man," he shouted, and then quickly added the qualifier: "But if violence must come, we are ready to a man."

Did you make that statement, sir?

Mr. WALSTON. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "William Walston Exhibit No. 6" and retained in committee files.)

Mr. APPELL. I have no further questions to ask of this witness, Mr. Chairman.

The CHAIRMAN. The witness is excused and discharged from his subpoena.

Mr. CHALMERS. Thank you.

The CHAIRMAN. Call your next witness.

Mr. APPELL. I call Mr. Wayne Dayvault.

The CHAIRMAN. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DAYVAULT. I do.

TESTIMONY OF WAYNE DAYVAULT, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Would you state your full name for the record?

Mr. DAYVAULT. Wayne Dayvault.

Mr. APPELL. Are you appearing before the committee this afternoon in accordance with subpoena served upon you at 12:30 o'clock p.m., on the 11th day of October 1965?

Mr. DAYVAULT. Yes, sir.

Mr. APPELL. You are represented by counsel?

Mr. DAYVAULT. Yes, sir.

Mr. APPELL. Would counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, attorney at law, room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Dayvault, the subpoena served upon you called upon you to bring with you documents described on an attachment which was made a part of the subpoena, which reads, as part 1, as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Realm (State) of North Carolina, and Rowan Sportsmen's Club in your possession, custody or control, or maintained by you or available to you as Grand Kligrapp (Secretary), Realm (State) of North Carolina, and as an officer of the Rowan Sportsmen's Club of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I demand the production of those documents under part 1 of your subpoena, Mr. Dayvault.

Mr. DAYVAULT. I respectfully decline to give to the committee any and all records as requested by the committee under subpoena dated October 21, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 21, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Counsel?

Mr. CHALMERS. The same stipulations.

The CHAIRMAN. It is stipulated that this subpoena was served on the witness?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I take it that we now stipulate with you, on behalf of your client, and I, on behalf of the committee, that he is familiar with the contents of my opening statement, pointing out the pertinency of these documents sought by this subpoena, as well as the legislative purpose to be served, and that this subpoena has been served on him in the capacity indicated in the subpoena.

Mr. CHALMERS. It is so stipulated.

The CHAIRMAN. Sir, I now order and direct you to produce the documents demanded by the subpoena in paragraph 1 of the attachment thereto.

Mr. DAYVAULT. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 21, 1965, for that information is not relevant or germane to the subject under investigation and the same would not aid the Congress in the consideration of any remedial legislation, nor is such within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, of the House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 21, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in the violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Dayvault, the subpoena called for you to bring with you and to produce items contained in the attachment which was made a part of the subpoena, part 2:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Kligrapp (Secretary), Realm (State) of North Carolina, and as an officer of the Rowan Sportsmen's Club of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now demand the production of the documents called for in paragraph 2.

The CHAIRMAN. It is understood that the stipulations made with reference to paragraph 1 apply to paragraph 2?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Sir, I order and direct you to produce the documents referred to and ordered by the subpoena served upon you.

Mr. CHALMERS. Mr. Chairman, if I may, and correct me, sir, there was a demand made but there was no reply to the demand. There was no refusal yet.

Mr. DAYVAULT. Sir, I respectfully decline to deliver to the committee any and all records as requested by the committee under subpoena dated October 21, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 21, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Sir, I order and direct you to produce the documents just called for.

Mr. DAYVAULT. I respectfully decline to deliver to the committee any and all records as requested by the committee under subpoena dated October 21, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 21, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Dayvault, when and where were you born?

Mr. DAYVAULT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I order and direct you to answer this question, and I might say that if a contempt citation results from the failure to produce documents in response to a subpoena served upon you, this refusal will be included in the citation.

Mr. DAYVAULT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in the violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Dayvault, I hand you a copy of the original hotel registration, Dinkler-Tutwiler Hotel, Birmingham, Alabama, for September 4, 1964, and put it to you as a fact, and ask you to affirm or deny the fact, that you registered at that hotel for the purpose of attending a klonvokation in September of 1964.

Mr. DAYVAULT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Wayne Dayvault Exhibit No. 1" follows:)

WAYNE DAYVAULT EXHIBIT NO. 1

1140-2 DAYVAULT WAYNE 5-20 65591

H 65591

M-W 9/4 N O

PLEASE CHECK YOUR BAGGAGE OR SEND SAME TO YOUR ROOM OTHERWISE THE HOTEL COMPANY WILL NOT BE RESPONSIBLE FOR LOSS

Dinkler-Tutwiler

DIRECTION
DINKLER HOTEL CORPORATION
"DISPENSERS OF TRUE SOUTHERN HOSPITALITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE

Ca barrus

Name Wayne Dayvault
 Street 1402 North Central City Jacksonville State FL
 Room No. 1140-2 Rate 5.20 SMTWTFSS

Mr. APPELL. I put it to you as a fact, and ask you to deny or affirm the fact, that at that klonvokation there was elected to the imperial staff of the United Klans of America, known by the cover name of the Alabama Rescue Service, Robert Shelton as Imperial Wizard, Robert Collins as Imperial Klokard, and Reverend George Dorsett as Imperial Kludd, Robert Hudgins as Imperial Kladd, Walter Brown as Imperial Klarogo, and Robert Korman as Imperial Klexter.

Mr. DAYVAULT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dayvault, I put it to you as a fact that you were secretary or grand kligrapp of the Realm of North Carolina.

The CHAIRMAN. The committee will stand in recess for a few minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will please come to order.

Mr. DAYVAULT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you succeeded Charles Guest of Salisbury, North Carolina, as kligrapp or secretary of the Realm of North Carolina.

Mr. DAYVAULT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were replaced as the grand kligrapp or secretary by D. E. Leazer.

Mr. DAYVAULT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were as of May 25, 1965, an officer of the Rowan Sportsmen's Club, a Klan or Klavern of the United Klans of America.

Mr. DAYVAULT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, there will be several witnesses who hold membership in the Rowan Sportsmen's Club. I intend to exhibit to this witness only one check for the purpose of establishing his connection with the Rowan Sportsmen's Club. It is a check dated May 25, 1965, on the imprinted check of the Rowan Sportsmen's Club, with the head of a horse here, so maybe the impression is left that it relates to a riding club of some kind. "Pay to the order of Bob Jones, \$97.25," drawn on the Security Bank & Trust Co., Spencer, North Carolina, cosigned Fred L. Wilson, Wayne Dayvault.



(Document handed to witness.)

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that that check is as I stated it and that you are a cosigner.

Mr. DAYVAULT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Wayne Dayvault Exhibit No. 2" follows:)

WAYNE DAYVAULT EXHIBIT NO. 2

		ROWAN SPORTSMEN'S CLUB		22
Pay to the order of <u>Bob Jones</u>		DATE <u>5/25</u>	NO <u>65</u>	80 000 531
<u>seventy seven dollars + 35/100</u>		\$ <u>97.25</u>		
SECURITY BANK & TRUST CO. SPENCER, NORTH CAROLINA		ROWAN SPORTSMEN'S CLUB		
		<u>Fred L. Wilson</u> <u>Wayne Dayvault</u>		
-20531-09482		00000097251		

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Fred L. Wilson, in addition to being an official of the Rowan Sportsmen's Club, is the realm or state treasurer for the Realm of North Carolina.

Mr. DAYVAULT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the Rowan Sportsmen's Club is a Klavern to which Grand Dragon J. Robertson Jones is assigned as far as being a member of the organization.

Mr. DAYVAULT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of this witness.

The CHAIRMAN. The witness is excused and discharged from his subpena.

Before the witness leaves, I don't know that this is necessary, as I understood what happened, Mr. Appell, I notice you have quite a number of checks which will later be put in the record, but you questioned him relative to one check to prove his official capacity.

Mr. APPELL. That is right, and that is all that is being presented in evidence at this time, sir.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Chairman, I would like to call as my next witness, D. E. Leazer.

The CHAIRMAN. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEAZER. Yes, sir.

TESTIMONY OF DONALD EDMUND LEAZER, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Would you state your full name for the record?

Mr. LEAZER. Don Edmund Leazer.

Mr. APPELL. Are you appearing here this afternoon in accordance with a subpena served upon you at 11 o'clock a.m., the 11th day of October 1965?

Mr. LEAZER. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. LEAZER. Yes, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, attorney at law, 501 First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Leazer, under the terms of the subpena served upon you, you were to bring with you and to produce certain documents called for in the attachment which was made a part of the subpena, and part 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known

as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Realm (State) of North Carolina, and Rowan Sportsmen's Club, in your possession, custody or control, or maintained by you or available to you as Grand Kligrapp (Secretary) and employee of the Realm (State) of North Carolina, of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I demand that you produce those documents in accordance with the provisions of the subpoena.

Mr. LEAZER. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 22, 1965, for that information is not relevant or germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 4, October 22, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Counsel, I take it that you stipulate that your client is familiar with my opening statement in all of its particulars, intents and purposes and coverage?

Mr. CHALMERS. That is correct.

The CHAIRMAN. And that your client has been ordered to produce these documents in the capacity described by the subpoena?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. It is further stipulated that the documents called for which are directed to be produced are in the capacities indicated in the subpoena. We are not quibbling about any details, I take it?

Mr. CHALMERS. You and myself, we are not, Mr. Willis, no, sir.

The CHAIRMAN. Therefore, sir, I order and direct you to produce the documents just read by Mr. Appell and order you to produce these in the capacity indicated.

Mr. LEAZER. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 22, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in the subpoena dated October 22, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Leazer, under the terms and conditions of the

subpena you are also ordered to bring with you and produce that described in part 2:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Kligrapp (Secretary) and employee of the Realm (State) of North Carolina of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. LEAZER. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpena dated October 22, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpena dated October 22, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. The same stipulation with reference to my opening statement is agreed to and the same stipulation with reference to the fact that the subpena was served on him in his representative capacity is agreed to?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Sir, I order and direct you pursuant to the subpena duces tecum, served upon you, in a representative capacity as indicated, I order and direct you to produce the documents just referred to by Mr. Appell.

Mr. LEAZER. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpena dated October 22, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in a consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule IV of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpena dated October 22, 1965, for the reason I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Leazer, I hand you a document, Foreign Corporations Franchise Tax Report of the State of North Carolina, signed by James R. Jones, Grand Dragon of North Carolina, dated July 20, 1965, and I put it to you as a fact, and ask you to affirm or deny the fact, that Grand Dragon Jones in filing this document on July 20, 1965, listed himself as the president, G. B. Mars, as vice president,

and yourself, D. E. Leazer, as secretary, and F. L. Wilson as treasurer.

Mr. LEAZER. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Donald Leazer Exhibit No. 1." Pages 1 and 4 of said exhibit follow:)

DONALD LEAZER EXHIBIT No. 1

JOHN M. LINGLE, JR. & Co

Form C-200

-1965-

NORTH CAROLINA

INITIAL FRANCHISE TAX REPORT

FOREIGN CORPORATIONS

This form is to be used for the initial report of corporations pursuant to the provisions of G. S. 105-122, and said report should be filed with the Department of Revenue within sixty days of domestication or the beginning of its business in North Carolina, whichever occurs first, with remittance to cover tax prorated from this date to June 30 next (minimum tax \$10.00). This does not take the place of the annual franchise report required to be filed on July 31 of each year by foreign and domestic corporations.

Name of Corporation United Klans of America, Inc.

Street Address P.O. Box 321

Post Office Address Greenville, S.C. Incorporated Under laws of S.C.

Principal office or place of business in North Carolina Greenville, S.C.

Date domesticated in N. C. JUL 7 1965 Kind of Business Private Organization

Indicate if connected with another corporation as: Parent ☐ Subsidiary ☐ Affiliate ☐

Furnish name, address and business of each (Attach Schedule) _____

A	BASIS AND COMPUTATION OF TAX	AMOUNT
1.	Capital stock outstanding, Surplus, Undivided Profits, and allocations thereof. (Brought from page 2, Item 25)	
2.	Add: Indebtedness to or guaranteed by parent or affiliated corporation. (Brought from page 2, Item 26)	
3.	Total (Sum of Items 1 and 2)	
4.	Total amount allocated to North Carolina (.....% of Item 3)	
5.	Total assessed value of all properties located in North Carolina including total valuation of intangible personal property (From page 2, Item 40)	
6.	Total investment in tangible properties in North Carolina (Brought from page 2, Item 34)	
7.	TOTAL TAXABLE AMOUNT (Item 4, 5, or 6, whichever is greatest)	
8.	Amount of tax computed at \$1.00 per \$1,000.00 of item 7 (MINIMUM \$10.00)	
9.	(a) Add: Penalty of 5% per month of delinquency period up to a maximum of 25% of Item 8, not less than \$5.00, for failure to file on date due.	
	(b) Add: Interest at 6% per annum	
10.	TOTAL TAX, PENALTY AND INTEREST DUE (MINIMUM \$10.00)	

ATTACH REMITTANCE AND MAKE PAYABLE TO N. C. DEPARTMENT OF REVENUE

AFFIRMATION OF TAXPAYER

I hereby affirm that this report, including the accompanying schedules and statements (if any) have been examined by me and, to the best of my knowledge and belief, is true and complete and is made in good faith covering the taxable period stated, pursuant to the Revenue Act of 1920, amended, and the regulations issued under authority thereof, and that this affirmation is made under the penalties prescribed by law.

Signature of Taxpayer Donald Leazer Date July 20, 1965

Signature of Preparer John M. Lingle, Jr. Date July 20, 1965

Signature of Employer or other than taxpayer _____

THIS SPACE FOR DEPARTMENTAL USE ONLY

OFFICE AUDIT	CHECKED IN
Corrected Taxable Amount	
b. Tax at \$1.00 per \$1,000	
c. Remittance	
d. Additional Tax	
e. Interest at 6% per annum	
f. Penalty for late filing or payment	
g. Additional Charges Billed	
h. Status of Prior Years	

DONALD LEAZER EXHIBIT NO. 1—Continued

Page 4

I ALLOCATION PERCENTAGE RATIO			
To be used when corporation's principal business is either manufacturing, producing, selling, or dealing in tangible personal property.			
Property—(Tangible property used in Trade or Business)	In North Carolina	Total	Ratio
102. Realty: Land	\$	\$	
Buildings			
Rentals (See Instructions Below)			
103. Personal: Machinery and Equipment			
Inventories (Averaged)			
Other Property			
Rentals (See Instructions Below)			
104. Total Cost and Rental Value	\$	\$	
105. Less: Depreciation Reserve			
106. Total Statutory Value	\$	\$	
107. RATIO OF PROPERTY	XXXXXXX	XXXXXXX	%
108. Payrolls—Total	\$	\$	
109. Less: Compensation to officers having company-wide authority			
110. Payrolls—Net	\$	\$	
111. RATIO OF PAYROLLS	XXXXXXX	XXXXXXX	%
112. RATIO OF SALES	\$	\$	%
113. TOTAL OF THREE RATIOS	XXXXXXX	XXXXXXX	%
114. ARITHMETICAL AVERAGE—RATIO— (To page 1, line 4)	XXXXXXX	XXXXXXX	%
To be used when corporation's principle business is other than as described above or other than the operation of a public service corporation.			
115. RATIO OF GROSS RECEIPTS (Attach Schedule) (To page 1, line 4)	In North Carolina	Total	Ratio
	\$	\$	%

VALUE OF RENTAL PROPERTY

Assign values of rental property for allocation purposes by multiplying the annual net rent paid for each class of property by the applicable multiple. (Net rent means gross rent paid less rent received from subrentals)

	Multiple
Real Property	8
Machinery & Equipment used in Manufacturing	3
Delivery and Mobile Equipment	1
Furniture & Fixtures	1
Office Machinery & Equipment	2

J OFFICERS NAMES AND ADDRESSES	
President:	James R. Jones Greenville, S.C.
Vice-president:	G. R. Mars Warren, N.C.
Vice-president:	
Secretary:	D. E. Leazer Salisbury, N.C.
Treasurer:	F. L. Wilkerson Salisbury, N.C.
Name and address of process agent in North Carolina	James R. Jones Greenville, S.C.

Failure to file this report within sixty days of the corporation's domestication or the beginning of its business in North Carolina, whichever occurs first, will subject the corporation to a penalty of 5% per month of delinquency period (maximum of 25%) of the amount of tax and not less than \$5.00. All necessary questions must be answered or an amended report will be required. Remittance of amount due must accompany this report.

CORPORATE INCOME AND FRANCHISE TAX DIVISION

N. C. DEPARTMENT OF REVENUE. RALEIGH, N. C.

Mr. APPELL. Mr. Chairman, the committee's investigation establishes that the Rowan Sportsmen's Club with which we have just previously dealt with the preceding witness is known as Klavern Number 1, and was known as Klavern Number 1 during the days of the U.S. Klans under the leadership of Eldon Edwards, and prior to becoming formally known as the Rowan Sportsmen's Club at least as far as its checking account was concerned was known merely as the

United Klans of America, Incorporated, Knights of the Ku Klux Klan.

The CHAIRMAN. Is that the same Edwards referred to before?

Mr. APPELL. He was head of the U.S. Klans prior to 1960.

The CHAIRMAN. He called Shelton on the carpet for financial manipulations?

Mr. APPELL. The same man.

The CHAIRMAN. As a result of which Shelton thereupon created his own organization.

Mr. APPELL. After being removed from the position of Grand Dragon, U.S. Klans, by Imperial Wizard Edwards; yes, sir.

Mr. Leazer, I put it to you as a fact that you were a member of a Klan unit now known as the Rowan Sportsmen's Club, and I exhibit to you a check dated 11-10-1964, imprinted "United Klans of America, Inc., Knights of K.K.K.," Don Leazer, \$5.15.

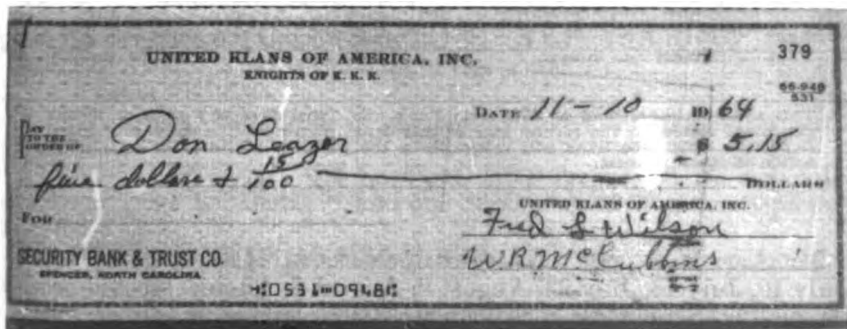
(Document handed to witness.)

Mr. APPELL. I ask you to affirm or deny that fact.

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Donald Leazer Exhibit No. 2" follows:)

DONALD LEAZER EXHIBIT NO. 2



Mr. APPELL. I ask you to affirm or deny the fact that Fred L. Wilson, who is a cosigner on this check, you knew to be treasurer of the Klavern as well as presently the State treasurer.

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that while this gentleman has held many offices within the Klavern, you knew him at one time to be the exalted cyclops, W. R. McCubbins.

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Leazer, I put it to you as a fact, and ask you to affirm or deny the fact, that this is the signature card to which there is affixed your signature, together with James R. Jones, and Fred L. Wilson, the account maintained at Wachovia Bank and Trust Company, in Salisbury, North Carolina.

I ask you to affirm or deny that fact.

(Document handed to the witness.)

The CHAIRMAN. What is the name of that account?

Mr. APPELL. United Klans of America, Incorporated.

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Donald Leazer Exhibit No. 3" follows:)

DONALD LEAZER EXHIBIT No. 3

NAME	DATE 5-13-65
UNITED KLANS OF AMERICA, INC. CORPORATION	
James R. Jones	PRESIDENT
Donald E. Leazer	VICE-PRESIDENT
Fred L. Wilson	TREASURER
C/O JAMES R. JONES	
MAIL ADDRESS	P.O. BOX 321 GRANITE QUARRY, N.C.
STREET AND NUMBER	CITY STATE
<p>This account is accepted by Wachovia Bank and Trust Company subject to the provisions stated on the reverse side of this card. Above are the duly authorized signatures which the Bank will recognize in the payment of funds or the transaction of other business.</p> <p>784 REV 8-61</p> <p>1 191 607</p>	

Mr. APPELL. I hand you a series of checks, Mr. Leazer, dated July 2, July 10, July 16, July 23, August 2, August 6, August 14, August 20, August 28, September 3, September 10, September 17, all of 1965, a total of 12 checks, each in the amount of \$150.00, salary and expense, payable to Donald E. Leazer, and ask you to affirm or deny the fact that you are the Donald Leazer, the payee, on these checks.

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents previously marked "James Jones Exhibit No. 7-F." See p. 1721.)

The CHAIRMAN. And those checks are drawn on the account you just referred to?

Mr. APPELL. Yes, sir.

Mr. Leazer, I ask you from what source the money is derived which is placed into this account in the name of the United Klans of America, Incorporated, care of James R. Jones, with the Wachovia Bank and Trust Company, of which there has been deposited from May 13, 1965, through September 19, 1965, \$16,903.37. I ask you the source of that?

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents previously marked "James Jones Exhibit No. 7-A.")

Mr. APPELL. Mr. Leazer, as a Klansman, do you carry a concealed weapon?

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Were you tried for the crime of carrying a concealed weapon on August 27, 1965?

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I would like to read into the record from a certified copy of a court record, signed by the assistant clerk of the superior court, Rowan Superior Court, Rowan County, North Carolina, Case 166642:

State vs. Donald E. Leazer; Carrying Concealed Weapon; State Witnesses C. L. Wilhelm, C. M. Grant, J. G. Overcash, 8-27-65.

The Defendant Pleads Not Guilty. The Defendant is Adjudged Guilty. Let the Defendant be confined in the Common Jail of Rowan County for a period of 60 days and be assigned to work under the supervision of the State Prison Department. This sentence is suspended, by and with consent of defendant in open court, on the following conditions: Defendant is to pay a fine of \$50.00 plus costs; Defendant is to be and remain of general good behavior for two years; let the weapon be confiscated and destroyed.

Is that a factual record as certified to by the assistant clerk of the superior court?

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. What is the date of the sentence?

Mr. APPELL. 8-27-65.

Mr. WELTNER. Do you have any checks that are dated subsequent to that date?

Mr. APPELL. Yes, sir. We have one dated August 28, the day following, and one September 3, and one September 10, and one September 17.

Mr. WELTNER. Those are following a pattern of a weekly payment; is that correct?

Mr. APPELL. \$150, the purpose for which drawn is salary and expense.

Mr. WELTNER. Thank you.

The CHAIRMAN. What was the concealed weapon? Does the judgment show?

Mr. APPELL. No, it says, "Let the weapon be confiscated and destroyed."

On the same date, Mr. Chairman, I would like to read another entry certified by the assistant clerk of the superior court:

Case 166647 State vs. Donald E. Leazer Possession of Tear Gas 8-27-65 The Defendant Pleads Not Guilty. The Defendant is Adjudged Guilty. Let the Defendant be confined in the Common Jail of Rowan County for a period of 60 days and be assigned to work under the supervision of the State Prison Department. This sentence is suspended, by and with consent of defendant in open court, on the following conditions: Defendant is to pay a fine of \$40.00 plus costs; Let the tear gas be confiscated and destroyed.

Is that a factual recitation of the facts, Mr. Leazer?

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Donald Leazer Exhibit No. 4" and retained in committee files.)

Mr. APPELL. Were these fines and costs adjudged against you paid by the United Klans of America?

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was this tear gas obtained by you for possible use in connection with your membership in the United Klans of America?

Mr. LEAZER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions of this witness.

The CHAIRMAN. Mr. Leazer, you are hereby continued under that subpoena until November 15.

The committee will resume hearings next Monday at 10 o'clock.

(Whereupon, at 5:45 p.m., Friday, October 22, 1965, the subcommittee recessed, to reconvene at 10 a.m., Monday, October 25, 1965.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 1

MONDAY, OCTOBER 25, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order, please.

Will you please call your first witness?

Mr. APPELL. Mr. Chairman, before I call my first witness, I would like to ask permission of the Chair to place into the record at the appropriate point in the testimony of Mr. Robert Shelton the documents which we have now received in response to a subpoena duces tecum which related to purchases from the Lorch's Diamond Shop in Tuscaloosa, Alabama.

I would like to bring to the committee's attention that one of these documents appears to be a personal account of Mrs. Robert Shelton, which reflects on its face that her employer, or her occupation, is United Klans of America, and this credit card is signed by Mrs. Betty Shelton.

The CHAIRMAN. The documents will be received and inserted at that point in the record.

In other words, Mr. Appell, you received these documents subsequent to the appearance of Mr. Shelton and his testimony?

Mr. APPELL. They were received on last Friday, sir, after Mr. Shelton's testimony; yes, sir.

Mr. Chairman, I would also like to ask permission that there be placed in the record at the conclusion of the testimony of Mr. Kornegay the applications for insurance under the Klan program of insurance between the Capital City Restoration Association and the International Life and Accident Insurance Company, those applications of Klansmen signed up under that program.

The CHAIRMAN. The documents will be received in evidence and inserted at the point indicated.

Mr. APPELL. Mr. Chairman, I would like to call as the first witness this morning Arthur C. Leonard.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEONARD. I do.

The CHAIRMAN. Proceed.

**TESTIMONY OF ARTHUR C. LEONARD, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. Would you state your full name for the record, sir?

Mr. LEONARD. Arthur C. Leonard.

Mr. APPELL. Are you appearing here this morning in response to a subpoena served upon you by an investigator of the committee, Mr. Ray McConnon, at 9 o'clock a.m. on the 13th day of October 1965?

Mr. LEONARD. I am.

Mr. APPELL. Are you represented by counsel?

Mr. LEONARD. I am.

Mr. APPELL. Will counsel please identify himself for the record, please?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Leonard, would you set forth for the committee when and where you were born?

Mr. LEONARD. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. That question is preliminary and is simply laying the foundation. We do not accept your reasons for refusal to answer and I direct you to answer.

Mr. LEONARD. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised Investigator McConnon at the time he served you with a subpoena that you were born in 1904 at Rowan, North Carolina, Rowan County, North Carolina.

Mr. LEONARD. I respectfully decline to answer that question for the reasons that I honestly feel my answer might tend to incriminate me

in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Leonard, would you set forth your educational background?

Mr. LEONARD. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised the committee investigator, McConnon, that you had completed the first 10 years of school.

Mr. LEONARD. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I ask you, Mr. Leonard, to set forth your employment background.

Mr. LEONARD. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised Investigator McConnon that you were in the home improvement business and have been since 1945, presently owner of the Southern Awning Manufacture Company, Lexington Road, Spencer, North Carolina, where it has been located for the last 4 years.

Mr. LEONARD. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Leonard, under the terms of the subpoena, you were directed to, or commanded to bring with you, and produce before said committee, documents which were called for on an attachment which was made a part of the subpoena. This attachment, consisting of one paragraph, reads:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Rowan Sportsmens Club, Realm (state) of North Carolina, in your possession, custody or control or maintained by you or available to you as the former Grand Dragon, Realm (state) of North Carolina, and as a present or former officer Rowan Sportsmens Club, Realm (state) of North Carolina, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. LEONARD. I respectfully decline to deliver to the committee any and all records as requested by this committee upon subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in its subpoena dated October 4, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, do you agree to the following stipulation: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Mr. CHALMERS. Yes, sir.

Mr. Chairman, may I state, sir, I conferred with counsel for the committee earlier this morning, and there was some mistake which he and myself have worked out. Rather than it being Rule IV of the rules adopted by the 89th Congress and House Resolution 8, it is actually Rule XI. I think counsel and myself understand the difference there.

The CHAIRMAN. It appears on page iv?

Mr. CHALMERS. It appears on page vi, actually.

The CHAIRMAN. We understand.

Mr. CHALMERS. I wanted to call it to your attention.

The CHAIRMAN. But the stipulation is entered into?

Mr. CHALMERS. Yes, sir; that is correct, sir.

The CHAIRMAN. Now, Mr. Leonard, the Chair does not accept your reasons for failing to produce the documents called for in the subpoena, for you to produce them in the capacity indicated, and I now order and direct you to produce them.

Mr. LEONARD. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 4, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 4, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Leonard, are you currently the holder of the position of klorard for the Rowan County Klavern or the Rowan Sportsmen's Club?

Mr. LEONARD. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised committee investigator McConnon on the 13th day of October 1965, at the time he served you with the subpoena, that you did hold the position of klokard within your Klavern.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the committee subpoenaed from the Security Bank & Trust Co., Spencer, North Carolina, bank accounts relating to the Rowan Sportsmen's Club and accounts under the name of the United Klans of America. The bank forwarded to the committee in compliance with this subpoena duces tecum canceled checks, ledger cards, signature cards, that relate to this.

These cards reflect that the account which was subpoenaed was opened on December 10, 1958, and it was opened in the name of the U.S. Knights of the Ku Klux Klan, Box 666, China Grove, North Carolina.

I desire, Mr. Chairman, to read from the signature card of December 10, 1958, and then ask certain questions of the witness.

It appears on top: "2 sig[nature]s required, Dec. 10, 1958. Name U.S. Knights of K K Klan [Address] Box 666 China Grove NC. The following two signatures will both be necessary to withdraw funds."

This is written out in longhand. "A. C. Leonard, Act. Treasurer; W. R. McCubbins, E.C.; C. B. Gobble, Treasure [sic]."

Typed onto this document is that "We prefer to sign cks without using titles."

"% opened by Mr. Leonard & Mr. McCubbins" with a deposit of \$121.29.

I hand you this card, Mr. Leonard, and put it to you as a fact, and ask you to affirm or deny the fact, that you are the A. C. Leonard listed on the signature card.

(Witness made no reply.)

(Document marked "Arthur Leonard Exhibit No. 1-A" appears on p. 1902.)

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the bank properly reported that this account was opened by yourself and Mr. McCubbins.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the bank records reflect that that signature card remained in effect until 10-11-63.

I am sorry, Mr. Chairman. Until 2-8-60.

This card, which I would like to read into the record, shows: "U.S. Knights of K. K. Klan, J. L. Corriher, Treas., Rt. #4, Box 544, Salisbury, N.C." Two signatures required: "J. L. Corriher, Treas.; W. R. McCubbins, Secr.; F. L. Wilson, V.P."

The card contains the notation that on August 27, 1963, Mr. F. L.—I cannot make out the name clearly enough, Mr. Chairman, to put it into the record—succeeds Mr. O. C. Snider as vice president as of this date, and this contains, as the authority, the signature "Arthur C. Leonard."

I hand you this card, Mr. Leonard, and ask you whether or not the facts that I have just recited to you from this card are facts.

1902

ACTIVITIES OF KU KLUX KLAN IN THE U.S.

ARTHUR LEONARD EXHIBIT NO. 1-A

Dec 10 - 1958

2 Sigs required

NAME

ADDRESS

U. S. Knights of K. K. Klan

Box 666 China Grove, NC

The following two signatures will look be

AUTHORIZED SIGNATURES

Continued from front side

(TYPEWRITE NAME HERE)

SIGN

(SIGNATURE IN THIS COLUMN)

TITLE

Enter two signatures

of these names listed: A. C. Leonard - Treasurer
 required to witness deposit of \$1000.00
 Dec. 31, 58 C. B. Schulte - Treasurer

WE PREFER TO SIGN CKS WITHOUT USING TITLES

operated by Mr. Leonard & Mr. McCullough

Fuller & L.

\$121.19

Partnership
 Corporation
 Account of
 Address

U. S. KNIGHTS OF K. K. KLAN
 Box 666, China Grove, NC and of
 Business

Phone

In consideration of the opening of this account by the SECURITY BANK & TRUST CO. the undersigned agrees that all notes, drafts, checks, or other papers purchased by the bank from the undersigned or received by it for credit or collection from or through the undersigned, are purchased or received subject to the actual receipt in cash or proceeds thereof by the bank and until such receipt said paper or proceeds shall be held at the risk of the undersigned, and the bank shall not be liable for the loss thereof or for the default, negligence or failure of its agents, or of any correspondents or others to whom the paper may be sent for collection. The bank and any collecting agents of the bank or of the undersigned may present such paper direct to the bank on which it is drawn or at which it is payable or in its discretion may forward such paper to a collecting agent with authority to present such paper for payment, and the bank and/or any collecting agent may accept in return the check, draft or credit of any other bank or banks. Any papers not actually realized on, any item lost in transit, and any bank check, draft or credit on which this bank fails to realize the full amount in cash may be charged by the bank in whole or in part to the undersigned's account. Each collecting agent shall be the agent of the undersigned and not of the bank, but neither this bank nor any such agent shall be liable for any loss growing out of the neglect, default or failure of another agent.

The undersigned agrees that the bank may refuse payment of and return as unpaid to the party presenting same, any checks presented when the undersigned does not have a sufficient balance of collected funds in his account at the opening of business on the day such checks are presented to pay the same.

The undersigned hereby agrees that the bank may waive demand, notice and protest on all checks, drafts, and other papers purchased by the bank or received by it for credit or collection by, from or through the undersigned.

Checks will be presented for payment through our Clearing Bank and if dishonored will be charged to depositor's account or presented to him for payment. Checks, drafts, and other items drawn on this bank not paid for any reason at the close of business on its business day next following the day deposited may be charged back to the undersigned.

Liability of endorser on checks certified at the bank's request shall not be released until such items are paid.

It is agreed that a service charge may be made by the bank each month for handling this account in accordance with the rules from time to time prescribed by this bank and the amount thereof shall be charged to customer's account.

It is also agreed that a charge of 50c for each check drawn against this account and returned for insufficient funds shall be made against this account.

It is also agreed that the statement of my account furnished by the bank will be examined promptly upon the receipt of same and that if no error is reported to the bank within ten days, the bank will consider statements as correct.

The signature of persons authorized to draw checks when the bank will recognize in payment of funds or for the transaction of other business on account of the undersigned are hereby given below.

The undersigned hereby certifies that he has read and agrees to the above contract.

This day of 19.....

By

(Continued on Reverse Side)

DEC 10 1958

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Arthur Leonard Exhibit No. 1-B" follows:)

ARTHUR LEONARD EXHIBIT NO. 1-B

U. S. Knights of K. K. Klan

2 sigs. required

J. L. Corriher, Treas

NAME Rt. # 4, Box 544

ADDRESS Salisbury, N. C.

AUTHORIZED SIGNATURES Effective date 2-8-60

Continued from front side

(TYPEWRITE NAME HERE)	WILL SIGN	(SIGNATURE IN THIS COLUMN)	TITLE
J. L. Corriher	"	<i>J. L. Corriher</i>	Treas
W. R. McCubbins	"	<i>W. R. McCubbins</i>	Secr.
C. O. Snider	"	<i>C. O. Snider</i>	V.P.
F. L. Wilson	AUG 27 1963	<i>F. L. Wilson</i>	V.P.
	"		
	"		
<i>Aug 27th Mr. F. L. Wilson succeeds Mr. C. O. Snider as Vice Pres as of this date Arthur C. Leonard</i>			

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the change that went into effect on August 27, 1963, was merely to replace Mr. C. O. Snider as vice president to F. L. Wilson as vice president.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that at that time you were an officer of the Realm of North Carolina, United Klans of America.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a card, a new card, 1-2-64, now changed to the United Klans of America, Inc., Knights of the Ku Klux Klan—

The CHAIRMAN. What is the date?

Mr. APPELL. January 2, 1964—which shows Mr. F. L. Wilson as treasurer and that the other signatures contained on the account under the U.S. Klan were still in effect at the time of the new card on January 2, 1964.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Arthur Leonard Exhibit No. 1-C" follows:)

ARTHUR LEONARD EXHIBIT No. 1-C

NAME	UNITED KLANS OF AMERICA, INC		
ADDRESS	KNIGHTS OF K. K. K. 610 Little St 72 Wilson Treas.		
AUTHORIZED SIGNATURES	new Card 1-2 to 4 610 Little St		
(TYPEWRITE NAME HERE)	WILL SIGN	(SIGNATURE IN THIS COLUMN)	TITLE
	✓	72 Wilson	TREAS
	✓	See attached card for other sig	

Mr. APPELL. Mr. Chairman, an analysis of the account reflects that on February 24, 1965, the account in the name of the United Klans of America, Inc., was closed out with a check in the amount of \$134.99, and that this check was used to open a new account, in the name of the Rowan Sportsmen's Club, Fred L. Wilson, Treasurer, 610 Little Street, Salisbury, North Carolina.

The CHAIRMAN. What is that date?

Mr. APPELL. This is February 24, 1965.

That this account contains the signatures of Fred L. Wilson as treasurer; W. R. McCubbins, who has been previously referred to on other signature cards; and Wayne Dayvault, a witness before this committee last week.

I hand you this card and put it to you as a fact, and ask you to affirm or deny the fact, that this signature card was authorized by the membership of the Rowan Sportsmen's Club.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Arthur Leonard Exhibit No. 1-D" appears on p. 1905.)

The CHAIRMAN. As I heard the question, he could properly say no to this question.

Well, all right.

Mr. APPELL. Mr. Leonard, when did you become a member of any Ku Klux Klan organization?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, when interviewed by Investigator McConnon on October 13, 1965, that you advised him that you joined the Klan in 1953.

ARTHUR LEONARD EXHIBIT NO. 1-D

ROWAN SPORTSMEN'S CLUB

NAME Fred L. Wilson, Treas.
ADDRESS 610 Little Street
Salisbury, NC

TWO SIGNATURES NECESSARY FOR
WITHDRAWAL

AUTHORIZED SIGNATURES

Continued from front side

TYPEWRITE NAME HERE	WILL SIGN	SIGNATURE IN THIS COLUMN	TITLE
	✓	<i>Fred L. Wilson</i>	TREAS
	✓	<i>W. R. McElharris</i>	
	✓	<i>Wayne Dayvault</i>	
	-		
	-		
	-		
	-		

FEB 24 1955
134/99

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Leonard, I put it to you as a fact, and ask you to affirm or deny the fact, that this Klavern to which we have established official affiliation on your part was, prior to becoming affiliated with the U.S. Klans, under the leadership of the Imperial Wizard Eldon Edwards; that you were affiliated as a Klavern of the North Carolina Knights of the Ku Klux Klan, which was under the leadership of Grand Wizard James W. "Catfish" Cole.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, in order that the record may properly understand questions that are going to be asked of the witness, I would like to read into the record a statement on the basis of the committee's investigation to the effect that in the winter of 1955 there was formed an independent Klan group which started out merely by the title of the Knights of the Ku Klux Klan, but then became known as the North Carolina Knights of the Ku Klux Klan: that this organization was started in Charlotte, North Carolina, and after the leadership of several temporary Grand Wizards, its leadership was taken over by a former carnival pitchman, self-styled Baptist "Free Will" Minister, from Marion, South Carolina, James W. "Catfish" Cole.

Cole's influence until January 1958 when this Klan burned a cross on the outskirts of St. Pauls, North Carolina, in front of the home of an Indian woman who the Klan implied was involved with a white man. They also burned crosses at the residence of Indians who had recently moved into a formerly all-white neighborhood.

On January 18, 1958, Cole's Klan scheduled a rally near Maxton, North Carolina, in spite of warnings by the local sheriff that he lacked the manpower to put down a riot should one occur. On the night of

the proposed rally, an estimated 50 to 75 Klansmen gathered around Cole at the rally site carrying shotguns, rifles, and pistols.

Before the rally started, an estimated 1000 armed Indians of the Lumbee Indians gathered along the edge of the highway and charged the unrobed Klansmen and the rally turned into a riot. Cole escaped, leaving his wife and children to be protected by other Klansmen.

On April 8, 1959, Cole was committed to jail in Lumberton, North Carolina, to begin serving an 18-24 month term for inciting the riot at Maxton Klan rally.

I put it to you as a fact, Mr. Leonard, and ask you to affirm or deny the fact, that it was following this that your Klavern and other Klaverns in the State of North Carolina began negotiations with representatives of Eldon Edwards for the purpose of becoming affiliated with his organization as a realm of the U.S. Klan in the State of North Carolina.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that George Dorsett, now an official of the United Klans of America, who was the grand kludd, or chaplain, under James W. "Catfish" Cole, became the Grand Wizard of this organization after Cole was committed to serve his term.

Mr. POOL. Was that a Grand Wizard or Imperial Wizard?

Mr. APPELL. This is on a State level, sir; it is the Grand Wizard.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Leonard, do you know Fred L. Wilson in addition to being treasurer of your Klavern, klabee, to be klabee or treasurer of the Realm of North Carolina?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you know Wayne Dayvault and Don Leazer to be members of your Klavern?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that when Investigator McConnon interviewed you on October 13, 1965, that after first refusing to discuss these individuals that you identified Fred L. Wilson, Wayne Dayvault, and Don Leazer as members of your Klavern, and that you later admitted to him in the course of the interview the positions which they held within the Klan.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you identified Leazer as one of Jones' full-time organizers; Wilson to be klabee of the Klavern; and Dayvault to be the kligrapp or secretary.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Leonard, during the time that your Klan was known as a Klan or Klavern within the U.S. Klan, Unit Number 1,

at the time Mr. W. R. McCubbins was the kludd, I put it to you as a fact, and ask you to affirm or deny the fact, that James R. Jones, now Grand Dragon of North Carolina, was the klokann chief of the Klavern.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that toward the end of 1958 or early 1959, that now Grand Dragon Jones, now Realm Treasurer Wilson, and now Grand Kligrapp or Secretary Leazer were expelled from your Klavern for nonpayment of dues.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that prior to that time, that now Grand Dragon James R. Jones was disciplined by your Klavern on many occasions for his radical conduct.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you possess knowledge of an organization known as the Black Shirts or Chessmen?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Leonard, it is the committee's information that following—

The CHAIRMAN. One second, Mr. Appell.

Who did you say was dismissed or expelled for nonpayment of dues?

Mr. APPELL. The present Grand Dragon, James R. Jones. This was in late 1958 or early 1959.

The CHAIRMAN. Now, Mr. Leonard, having expelled or dismissed Mr. Jones for nonpayment of dues, did you expel or did anyone to your knowledge ever expel anyone for acts of violence?

(Witness confers with counsel.)

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Leonard, in order to obtain the context of the next question, I would like to make a statement for the record that in the spring of 1959, August W., properly known as "Gus" Holman, the former Imperial Klabe of the U.S. Klan, under the Imperial Wizard Eldon Edwards, formed in Columbia, South Carolina, a Klan-type organization which became known as the Chessmen. The Chessmen quickly moved into North Carolina and merged with an organization called the Black Shirts, which, like the Chessmen, was comprised of former Klansmen who had been expelled from the U.S. Klans for various reasons.

A group of Chessmen damaged a sawmill in Richfield, North Carolina, on April 3, 1959, and thereafter the Chessmen began to disintegrate.

I ask you if you know James R. Jones to have been a member of that organization.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Leonard, I am going to read you a paragraph from Investigator McConnon's report of interview with you, and after I have read it I desire you to deny it, confirm it, or to give any comment on it that you care to.

"Shelton visited Jones 2 weeks ago, according to subject [referring to yourself] and both welcome the investigation of the Klan by the committee, believing it will bring to light a lot of false thinking about the Klan. Neither Jones or Shelton were worried about the Klan end of the investigation, he related, but Jones was worried about what might be brought out about him in a personal way. Subject clarified this statement by stating that Jones at one time, just after reenlisting in the Army in California, went AWOL due to family problems back home. Subject stated he himself had gone to Washington with Jones in an effort to get Jones his discharge changed from undesirable to honorable. He said the AWOL charge caused Jones to receive this undesirable discharge. They lost out in Washington, however, and Jones was not granted a change in wordage of his discharge. Subject [referring to you] also alluded to Jones being concerned about something that happened in his youth as well, or at least when he was a young man. Subject declined [meaning you] to go any further on that point, however."

Mr. Leonard, I ask you to affirm it, deny it, or make whatever comment you want upon this quoted paragraph from Investigator McConnon's report of interview with you.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Leonard, over a number of years you were an employer of Mr. Jones; were you not?

Mr. LEONARD. I respectfully decline to answer that question based upon grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you told Investigator McConnon that you were his employer over a period of many years.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised Investigator McConnon that you were the Grand Dragon immediately preceding the appointment of Mr. Jones to be Grand Dragon for the Realm of North Carolina.

Mr. LEONARD. I respectfully decline to answer that question based upon grounds previous stated.

Mr. APPELL. With that knowledge, Mr. Leonard, can you in any way explain to the committee an interview given by Mr. Jones to the *Winston-Salem Journal* on September 6 which appeared in an issue of September 16, 1964, in which Mr. Jones is quoted as advising the reporter that:

Early in the summer of 1963, he called a meeting of some men he thought might be interested in reviving the Klan. After some discussion, they decided to unite with Imperial Wizard Robert M. Shelton of Tuscaloosa, Ala.

Shelton sent Grand Dragon Scoggin up from Spartauburg, and he and Jones went to work.

On Aug. 18, a small nucleus of men met in the Klan's old state headquarters in southern Union County, and Jones was elected to a four-year term as Dragon

Can you explain this in light of your knowledge that you immediately preceded—your statement to the investigator that you immediately preceded Jones as the Grand Dragon of the United Klans of America, Realm of North Carolina?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that prior to the summer of 1963, and for some time prior to the summer of 1963, that Grand Dragon Jones was a member of the United Klans of America and assigned to the same Klavern that you were a member of.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I had earlier asked you about the expulsion of Mr. Jones from the Klan in 1958, and I asked you about any comment that appears in this interview, where Mr. Jones says or the reporter reports:

He didn't talk much about his early days in the Klan. He said he joined "about 1964" and "got out about 1958." He said he quit because the Grand Dragon in those day was guilty of "a multitude of sins."

As a member of the Klan in 1958 and as an officer of the Klavern, what multitude of sins was now Grand Dragon Jones referring to at that period of time?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. As a former employer of Jones over many years, I ask you to comment upon this paragraph which is a direct quote:

Thus far I haven't been paid anything for my work. I've gotten a majority of my expenses paid ever since I was Grand Dragon. In the past 10 years I would think I've got \$25,000 tied up in the Klan. I have worn out tires and automobiles going all over the country, and I missed money I'd have made if I had been working.

Mr. Leonard, on the basis of the work and the money reported by Jones as gross income or net income over the years, he could not possibly have made \$25,000 in 10 years; could he?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Jones also said in this interview, and I quote—and this, I might add, relates to the image of the Klan and the acceptance of the Klan:

The main reason is that people don't understand the Klan People are trying to crucify me because the old Klan did things. I do not and never have belonged to the Ku Klux Klan. I belong to the Knights of the Ku Klux Klan. The Ku Klux Klan is on the attorney general's subversive list. This one is not and never has been.

Was Mr. Jones ever a member of a Klan which appeared on the Attorney General's list?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Weltner left the hearing room.)

(Document marked "Arthur Leonard Exhibit No. 2" and retained in committee files.)

Mr. APPELL. Mr. Leonard, I show you a blank form of a "Klip-grapp's Quarterly Report" used in the days of the U.S. Klan under the Imperial Wizard Eldon L. Edwards. You will note—well, let me have you examine it.

(Document handed to witness.)

Mr. APPELL. According to this form, under the leadership of Imperial Wizard Edwards, Klans or Klaverns made reports not part to the realm and part to the imperial, but they made their checks payable to the Grand Dragon of the realm, and he took off his slice and forwarded what the imperial was supposed to get directly to the imperial.

I put it to you as a fact, and ask you to affirm or deny the fact, that today, under the United Klans of America, this procedure no longer follows, and that your Klavern sends part of the money due the realm directly to the realm, and to the imperial directly to the imperial. I ask you to affirm or deny that.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Arthur Leonard Exhibit No. 3" appears on p. 1911.)

Mr. APPELL. Mr. Leonard, after Mr. Jones replaced you as Grand Dragon, in January 1964 were you elected to the office of Grand Klaliff, or vice president?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that at that election held on January 26, 1964, at Granite Quarry, North Carolina, that Jones was elected the Grand Dragon; that Leonard, Arthur C. Leonard, was elected Grand Klaliff; that W. R. McCubbins, who has been identified as a member, whose name appeared on the same signature card that your name appeared on, was elected the grand kludd; that Charles Bud Deese, of Salisbury, North Carolina, was elected grand kilgrapp, or secretary; that Ray Terry, of Durham, North Carolina, was elected the conductor; that Buck House, of Lexington, North Carolina, was elected the inner guard; that Jim McLamb, of Wilmington, North Carolina, was elected outer guard; and that Red Biddle, of Wilmington, North Carolina, was elected as chief of the klokann committee; and that C. J. Brindle—Clarence J. Brindle, was elected grand night-hawk.

I put it to you as a fact, and ask you to affirm or deny the fact.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you also held on the grand level the position of grand klokard.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know George Dorsett?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised Investigator McConnon that you had heard that George Dorsett was one of the full-time organizers under Jones today.

ARTHUR LEONARD EXHIBIT No. 3

FORM K-105

READ INSTRUCTIONS ON BACK BEFORE PREPARING THIS REPORT

KLIPGRAPP'S QUARTERLY REPORT

Klan No. _____ Realm of _____ Quarter, 19____
 This report must be accurately made out in duplicate by the Kligrapp and sent to proper headquarters NOT LATER THAN
 THE TENTH of the month immediately following the last month of the QUARTER. Klans in Organized Realms send one copy to
 State Office. Remittances must be made by check, cash, Post Office Order or Express money order.

To His Majesty, the Imperial Wizard, Knights of the Ku Klux Klan:

The following is my report for the _____ Quarter, 19____

1. Klan located at _____, State of _____
2. Number Klanslaves held _____
3. Average attendance _____
4. Number of members in good standing last report _____
 (If new Klan, number when chartered _____)
5. Number members naturalized this quarter (Carry down to line 11b, 11c or 11d) _____
6. Number ministers naturalized this quarter (Tax due—No Klanslaves) _____
7. Number members reinstated this quarter (carry down to line 11f) _____
8. Number members received by transfer this quarter (carry down to line 11e) _____
- Gross membership _____
9. Deductions: a—Suspended (for non-payment of dues) _____
 b—Transferred (Tax to be paid by Klan issuing transfer) _____
 c—Died _____

Total Deductions _____

Net Membership Good Standing This Report _____

10. KLEETOKEN ON _____ MEMBERS AT \$5.00 EACH _____ \$ _____
11. A-TAX ON _____ AT 70¢ (THREE MONTHS) _____ \$ _____
- B-TAX ON _____ AT 47¢ (TWO MONTHS) _____ \$ _____
- C-TAX ON _____ AT 24¢ (ONE MONTH) _____ \$ _____
- D-TAX ON _____ (CURRENT MONTH NEW MEMBERS) _____ \$ _____
- E-TRANSFERS _____ (PAID BY KLAN USING TRANSFER) _____ \$ _____
- F-TAX ON _____ REINSTATED MEMBERS AT \$2.00 _____ \$ _____

Total Amount Due Imperial Headquarters This Report _____ \$ _____

MAKE CHECKS PAYABLE TO GRAND DRAGON IN YOUR REALM

Remarks: In organized Realms Reports will be sent to Grand Dragon's officer for certification.

Date _____, A. D. 19____, A. K. _____

Signed _____

Kligrapp

(KLAN SEAL)

No. _____ Realm of _____ Klan

P. O. Address _____

Certified by _____

R. G.

(SEE OTHER SIDE FOR INSTRUCTIONS)

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know Boyd Hamby?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised Investigator McConnon that you had heard that Hamby was a full-time organizer for the Klan.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know Grady Mars?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that while stating that you had only met Grady Mars on two or three occasions, that you stated that you would not be surprised, however, if Grady Mars was another full-time organizer for Bob Jones in the UKA.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you purchase a policy under the Klan hospital-surgical policies which were written under the affiliated group, the Capital City Restoration Association?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised Investigator McConnon that you did buy an insurance policy under that plan.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you discuss with Investigator McConnon, Calvin Craig, the Grand Dragon of Georgia?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Weltner returned to the hearing room.)

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you stated you had met Calvin Craig on four or five occasions; that you described him as being a bit hotheaded, but has worked hard for the Klan.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you discuss with Investigator McConnon Robert Scoggin, the Grand Dragon for the State of South Carolina?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you stated to Investigator McConnon that you had known Robert Scoggin for a period of 10 years, considered him to have good intentions, but to be a man who lacks the ability to represent the Klan in the best light.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. As a matter of fact, Mr. Leonard, you knew Mr. Scoggin to also be a Grand Dragon for the Realm of South Carolina under the U.S. Klans during its existence under the leadership of Imperial Wizard Edwards; is that not a fact?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Leonard, I hand you, although they are not prepared in the form in which the document is being handed to you, a series of oaths (Robert Shelton Exhibit No. 4) which are taken by Klansmen. I ask you to examine this series of oaths to advise the committee whether or not these are the oaths administered to members entering the United Klans of America today.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. According to Investigator McConnon's report, you have studied the work of the Klan to such a point that you were able to recite to him the provisions of these oaths verbatim. I put it to you as a fact, and ask you to affirm or deny the fact, that you did quote to him verbatim sections from these oaths.

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you advise Investigator McConnon that in appearing before the committee, you possibly would not be able to testify to the things that you told him about because they would violate your Klan oath?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Is your invocation of grounds upon which you refuse to testify in any way related to the oath of secrecy that you have taken as a Klansman?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of this witness.

The CHAIRMAN. Mr. Pool?

Mr. POOL. Mr. Leonard, when you were an official of the U.S. Knights of the Ku Klux Klan and had charge of their records for the money received, did you file an income tax return? That is, for the U.S. Knights of the Ku Klux Klan?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. You kept the records for the U.S. Knights of the Ku Klux Klan?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. Were you not the treasurer of the U.S. Knights of the Ku Klux Klan?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. And you refuse to answer as to whether or not you filed an income tax return for the U.S. Knights of the Ku Klux Klan?

Mr. LEONARD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. That is all, Mr. Chairman.

The CHAIRMAN. Mr. Weltner?

Mr. WELTNER. Mr. Chairman, I don't have any questions of this witness, but I think for the purpose of clarity it might be well to ask Mr. Appell to briefly relate the transition from the date of the North Carolina Knights under "Catfish" Cole to the present Realm of North Carolina under J. R. Jones.

Mr. APPELL. The North Carolina Knights of the Ku Klux Klan started to disintegrate after the conviction of "Catfish" Cole and the riot that grew out of the attack upon the rally by the Lumbee Indians. However, it did not completely disintegrate as an organization, and they still retained some Klaverns, but the bulk of the Klaverns that were in that organization went into the U.S. Klans, some before the Lumbee Indians incident, and others after.

With respect to the Klavern to which Mr. Leonard is a member, it continued in the U.S. Klans until the death of Eldon Edwards, at which time the bulk of the U.S. Klan membership in North Carolina, including the Rowan County Klavern, went into the United Klans of America and were represented at the convention in July of 1961 at which Mr. Robert M. Shelton was elected Imperial Wizard for the United Klans of America.

In a period there, the leadership of the "Cole Klan," the North Carolina Knights of the Ku Klux Klan, attempted to get together with the U.S. Klan elements in order to try to get together and merge into one big organization. They even scheduled a meeting with "Catfish" Cole in the penitentiary to carry this out.

Mr. WELTNER. Was the Rowan Sportsmen's Club then successor Klavern to the North Carolina Knights, the U.S. Knights, and presently in the UKA?

Mr. APPELL. Yes, sir.

Mr. WELTNER. That is all, Mr. Chairman.

The CHAIRMAN. Mr. Buchanan?

Mr. BUCHANAN. I have no questions, Mr. Chairman.

The CHAIRMAN. The documents Mr. Appell questioned the witness on will be received in evidence at the respective points where they were exhibited and discussed.

The witness is excused and discharged from his subpoena.

Mr. CHALMERS. Thank you, sir.

The CHAIRMAN. The committee will stand in recess for 3 minutes.

(Whereupon, at 11:25 a.m., the subcommittee recessed, Representatives Willis, Pool, Weltner, and Buchanan being present, and reconvened at 11:30 a.m. with Representatives Willis, Weltner, and Buchanan present.)

The CHAIRMAN. The subcommittee will please come to order.

Call your next witness, Mr. Appell.

Mr. APPELL. Mr. Chairman, I would like to call Mr. Richard Joseph Constantineau.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CONSTANTINEAU. I do.

TESTIMONY OF RICHARD JOSEPH CONSTANTINEAU

Mr. APPELL. Would you state your full name for the record, sir?

Mr. CONSTANTINEAU. Richard Joseph Constantineau.

Mr. APPELL. For the stenographer, would you spell your last name?

Mr. CONSTANTINEAU. C-o-n-s-t-a-n-t-i-n-e-a-u.

The CHAIRMAN. C-o-n-s-t-a-n-t-i-n-e-a-u.

Mr. APPELL. Mr. Constantineau, are you appearing here in accordance with a subpoena served upon you at 6:15 o'clock p.m. on the 14th day October 1965, by Investigator McConnon, a member of the staff of this committee?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. CONSTANTINEAU. No, sir.

Mr. APPELL. Do you require counsel?

Mr. CONSTANTINEAU. No, sir.

Mr. APPELL. Mr. Constantineau, the subpoena served upon you called for you to produce documents described in two sections which were made a part of the subpoena. One is:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan and affiliated organizations, namely, the Alabama Rescue Service, New Hanover Improvement Association, New Hanover Improvement League, Realm (state) of North Carolina, in your possession, custody or control, or maintained by you or available to you as a member or officer of New Hanover Improvement Association, New Hanover Improvement League, Realm (state) of North Carolina, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Do you have any of these documents in your possession and are you now prepared to submit them in accordance with the terms of the subpoena?

Mr. CONSTANTINEAU. I do not have any in my possession as I have never had any in my possession.

Mr. APPELL. Part 2 of the subpoena calls for:

All books, records, registers, accounts, papers and correspondence of the Beacon Gun Works (an unincorporated business in Wilmington, North Carolina, of which you are owner or co-owner), in your possession, custody, or control, including but not limited to such records as are required to be maintained in accordance with the Federal Firearms Act, relating to the purchase and sale of firearms and ammunition, both in local or intra-state commerce and in interstate or foreign commerce, for the period from August 1962 to date.

Mr. Chairman, before asking for a production of the documents——

The CHAIRMAN. And you say those are documents required to be maintained by him? Say that again.

Mr. APPELL. Required to be maintained in accordance with the Federal Firearms Act relating to the purchase and sale of firearms and ammunition.

Prior to making a demand for the production, Mr. Chairman, Mr. Constantineau brought with him all books, records, et cetera, not knowing specifically the interest of the committee. I advised Mr. Constantineau that we are interested in the records of the sale of guns because under the regulations the sale of ammunition can be invoiced only

to cash, where the purchase of guns and others must be registered in the name of the individual purchasing.

Therefore, I asked Mr. Constantineau to produce only those documents which relate to the sale of firearms.

Are you prepared to produce those documents, Mr. Constantineau? Mr. CONSTANTINEAU. I am.

The CHAIRMAN. Let the record show that the witness has handed to Mr. Appell a bound book, a volume.

Mr. APPELL. Mr. Chairman, I would like to state for the record that after copies of these records can be made, that the originals of these records shall be returned to Mr. Constantineau.

The CHAIRMAN. As an illustration of the pamphlets within that volume, I refer to the first one, which apparently is in compliance with regulations of the Government. It is entitled "Firearms Record From" this one reads "8-25-62 to"; this one reads "5-6-63, 121 Entries. Dealer's name: Beacon Gun Works; address, 5811 Oleander Drive; city, Wilmington; State, North Carolina" for North Carolina.

"License number 56-2776, issued" blank; "expires" with the word "renewable" and at the bottom in print "Courtesy of Remington Arms Company, Inc., sales promotion, Bridgeport, 2, Connecticut."

(Documents marked "Richard Constantineau Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Mr. Constantineau, I hand you a certified copy of a document obtained from the secretary of state's office of the State of North Carolina which is certified to be true copies of the articles of incorporation of the New Hanover County Improvement Association, Inc.

I hand you this document and ask you if you have ever heard of the organization?

Mr. CONSTANTINEAU. Yes, sir.

(Document marked "Richard Constantineau Exhibit No. 2." This exhibit will be reproduced in a forth coming report on Ku Klux Klan organizations.)

Mr. APPELL. Mr. Constantineau, have you ever been a member of the United Klans of America?

Mr. CONSTANTINEAU. Yes.

Mr. APPELL. When did you join the United Klans of America?

Mr. CONSTANTINEAU. The date is not clear. It was either late April or early May of 1964.

Mr. APPELL. How did you happen to become interested in joining? What process did you follow in order to become a member of the United Klans of America?

Mr. CONSTANTINEAU. I received some literature and an application blank which I filled out and returned to the address indicated.

Mr. APPELL. And after returning it, what advice did you receive from the Klan?

Mr. CONSTANTINEAU. I was told when and where to go.

Mr. APPELL. And where were you told you should go? Or just where. You earlier stated you could not remember when.

Mr. CONSTANTINEAU. It was a room over a theater on Second Street.

Mr. APPELL. Do you possess knowledge as to the long-term lessee of the premises?

Mr. CONSTANTINEAU. No, sir; I have no knowledge of that.

Mr. APPELL. I hand you, but not in the form that it is handed out, a series of oaths (Robert Shelton Exhibit No. 4) and asked you if in review of these, these appear to be a series of oaths which you took at the time you became a member of the Klan?

Mr. CONSTANTINEAU. It is similar. I cannot truthfully say it is word for word because I cannot remember that far back.

The CHAIRMAN. But in substance that is the form of the oaths?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. When you arrived at this building which you were invited to attend in response to your application or interest in application, were you then and there explained what the Klan stood for as far as attempting to interest you in a formal membership?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. Do you know the identity of the man who gave you the lecture on the Klan prior to the administering of any oaths?

Mr. CONSTANTINEAU. Did I know him before the oath?

Mr. APPELL. Do you know the identity of the man—

The CHAIRMAN. Did you know before?

Mr. APPELL. —the man who gave you the lecture before you took any of the oaths?

Mr. CONSTANTINEAU. I did not know him before I took the oath, no.

The CHAIRMAN. Did you learn who he was afterwards?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. You now know his identity?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. Who is he?

Mr. CONSTANTINEAU. The man that gave the oath I don't know.

Mr. APPELL. The man who lectured to you on the principles of the Klan?

Mr. CONSTANTINEAU. Mr. Chadwick, Warren Chadwick.

Mr. APPELL. Is that Warren J. Chadwick?

Mr. CONSTANTINEAU. I don't know his middle initial.

Mr. APPELL. Were you at that time after the purposes of the Klan were explained to you given a formal application?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. This is not a reproduction of that formal application in the size, but can you look at this and tell us whether this is similar to the application that you signed?

(Document handed to witness.)

Mr. CONSTANTINEAU. This is not the same. The one I signed was postcard size.

Mr. APPELL. I am sorry, I didn't hear you.

Mr. CONSTANTINEAU. I said this is not the same. The one I signed was about the size of a postcard.

The CHAIRMAN. He did say it was not the same size, he indicated that. It was not the same size. You say the one you looked at, or the one exhibited to you was in card form. But the point is, is this in the form?

Mr. CONSTANTINEAU. It is similar. I don't remember exactly what it looked like.

(Document marked "Richard Constantineau Exhibit No. 3" and retained in committee files.)

Mr. APPELL. But other than the card which you signed which you had received in the mail and forwarded in, you were not given a formal application of this format to sign?

Mr. CONSTANTINEAU. No, sir.

Mr. APPELL. After you agreed to become a member, were you then administered this series of oaths?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. In the administering of this series of oaths, were certain sections, such as the oath of allegiance, Section I, Obedience; Section II, Secrecy; and Section III, Fidelity, read to you, and subscribed to by you, before you were taken into what we shall call, for the want of a better term, the inner chambers of the Klavern?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. And the section of oaths which deals with the Klan-ishness, they were administered to you as a part of the ceremony within the Klavern chamber itself?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. Did the Klavern to which you were assigned meet normally in the same building where you presented yourself on the first night as a candidate for membership?

Mr. CONSTANTINEAU. Yes, sir; normally they met there.

Mr. APPELL. Wasn't this some kind of a labor hall?

Mr. CONSTANTINEAU. I heard later that it was a union hall. I had never been there before that night.

Mr. APPELL. But later you knew that it was a hall used by one of the local labor unions?

Mr. CONSTANTINEAU. Yes, sir.

The CHAIRMAN. Let me ask you this question.

Let me see the lease. You exhibited to him a lease and he said something about he wasn't familiar with it. You said something about a long-term lease. Didn't you question him about a long-term lease? I thought you had.

What I wanted you to establish, if you had, is that it was my impression you mentioned the words "long-term lease," and he said he didn't know anything about the lease. That is my impression.

I want to ask him, though, not knowing anything about the lease, if that is the case, would the lease be at the same address that he attended meetings at?

Mr. APPELL. Mr. Chairman, if I might correct the record, I used the reference to a lease in order to try to establish from the witness at that time that the premises used were in fact those of a labor union organization.

The CHAIRMAN. I am now catching on to that.

Mr. APPELL. And I do not have the lease.

The CHAIRMAN. You don't?

Mr. APPELL. No, sir.

The CHAIRMAN. I am wondering if the address given of the leased premises is the place where he attended meetings. Is that true? Is that your understanding?

Mr. APPELL. Yes, sir.

The CHAIRMAN. In other words, the lease did cover the union hall, as you say.

Mr. APPELL. Yes, sir.

The CHAIRMAN. And that is the place he now says he did attend meetings at.

Mr. APPELL. Yes, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. Did the Klan or Klavern to which you were assigned carry a designation other than Knights of the Ku Klux Klan?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. And what cover or what designation did it have other than Knights of the Ku Klux Klan?

Mr. CONSTANTINEAU. New Hanover Improvement Association.

Mr. APPELL. Mr. Constantineau, before we leave the place of the meeting, the labor hall, did the Klavern move its place of meeting from there to some other location?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. And where did it move its meeting place to?

Mr. CONSTANTINEAU. To a motel, a motel meeting room.

Mr. APPELL. And was this the Elberta Motel in Wilmington?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. The committee's investigation establishes that the reason for the moving was that when the trade union body found that this was in fact a Klan group that was meeting there under the name of the New Hanover County Improvement Association, that they refused to permit the group to continue to use its facilities.

Do you know that this was the reason why they moved from that point to the Elberta Motel?

Mr. CONSTANTINEAU. No, sir; I do not know the reason for the move.

Mr. APPELL. Mr. Constantineau, in the articles of incorporation which I show you for the New Hanover County Improvement Association, Inc., the registered agent of the corporation is listed as James H. McLamb.

Did you know McLamb to be a member of the Klan and a member of the New Hanover County Improvement Association?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. The incorporation says that the name and addresses of persons who are to serve as initial directors are, and the first name listed is Warren Chadwick, 212 North Channel Drive, Wrightsville Beach, North Carolina.

Is this the same Warren Chadwick to whom you referred as lecturing you on the advantages of the Klan prior to your taking your first series of oaths?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. The other officer is James H. McLamb, 3850 Peachtree Avenue, Wilmington, North Carolina, and this is the same gentleman who was designated as the agent of the corporation and whom you have identified as a person you knew?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. The third name is Carey Strickland, 232 Lake Forest Parkway, Wilmington, North Carolina.

Did you likewise know Carey Strickland?

Mr. CONSTANTINEAU. No, sir; I do not know Carey Strickland.

Mr. APPELL. Mr. Constantineau, at the time you joined the United Klans of America and were assigned to its Klavern which used the name of the New Hanover County Improvement Association, what was the initiation fee which you paid?

Mr. CONSTANTINEAU. I believe, though I am not sure, it was \$10.00.

Mr. APPELL. Do you possess any knowledge of the distribution of that \$10.00 once you turned it over to someone?

Mr. CONSTANTINEAU. No, sir; I do not.

Mr. APPELL. Do you recall to whom you turned over the \$10.00?

Mr. CONSTANTINEAU. Mr. Chadwick.

Mr. APPELL. To Mr. Chadwick.

Within your particular Klavern, that known as the New Hanover County Improvement Association, what was your rate of dues?

Mr. CONSTANTINEAU. It was either 50 cents or \$1.00 a month. I can't remember that far back. I paid 6 months in advance, anyway.

Mr. APPELL. After becoming a formal member of this Klan Klavern, were you required to purchase a robe?

Mr. CONSTANTINEAU. It was not required.

Mr. APPELL. Did you purchase a robe?

Mr. CONSTANTINEAU. Yes, I did.

Mr. APPELL. From whom did you purchase your robe?

Mr. CONSTANTINEAU. I purchased it from Mr. Chadwick. It was ordered somehow.

Mr. APPELL. And how much did you pay for the robe?

Mr. CONSTANTINEAU. I believe it was \$10.00.

Mr. APPELL. Did you have a satin robe or a broadcloth robe?

Mr. CONSTANTINEAU. A satin robe.

Mr. APPELL. At \$10.00?

Mr. CONSTANTINEAU. I believe that is correct.

Mr. APPELL. Not \$15.00?

Mr. CONSTANTINEAU. I believe it was \$10.00.

Mr. APPELL. After you became a member of this Klan group, how active were you as a member?

Mr. CONSTANTINEAU. I attended approximately one meeting monthly, and during the course of my membership I attended approximately 8 or maybe 10 rallies.

Mr. APPELL. And when did you terminate your membership?

Mr. CONSTANTINEAU. In the latter part of August 1964.

Mr. APPELL. During the course of your membership, did you ever attend any State meetings?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. Did you attend any State meetings at which elections of officers were held?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. Were you elected to any State office?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. To what State office were you elected?

Mr. CONSTANTINEAU. State klokann.

Mr. APPELL. And what advice did you receive as to the duties and responsibilities of the State klokann?

Mr. CONSTANTINEAU. I was to investigate new applications for membership and clear them for entry into the organization.

Mr. APPELL. Can you recall the identity of any other man elected at that same election for any office within the State of North Carolina?

Mr. CONSTANTINEAU. Mr. Red Biddle, I believe, was elected. I don't know what office he was elected to. And Mr. Hamby, I believe, was elected night-hawk.

Mr. APPELL. This is Mr. Boyd Hamby?

Mr. CONSTANTINEAU. Yes, sir. The others I do not know.

Mr. APPELL. You say that you were unfamiliar with the organization so that you do not know the identity of the other people elected at that time?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. Within the Realm of North Carolina, there are titans which, according to the Constitution and Laws, have the overriding jurisdiction within provinces or which conform to congressional districts.

Do you know the identity of the titan in the district to which the Wilmington Klavern was a part?

Mr. CONSTANTINEAU. No, sir; I do not.

The CHAIRMAN. Have you asked him when and where the State meeting was?

Mr. APPELL. I failed to.

When and where was that State meeting?

Mr. CONSTANTINEAU. It was on the outskirts of Salisbury. I don't know the exact location. It is the first time I had ever been there. I don't know the exact date. It was in August 1964.

Mr. APPELL. How long did you carry out the functions as a member of the State klokann committee?

Mr. CONSTANTINEAU. I resigned the following week.

The CHAIRMAN. The following week? The week following what?

Mr. APPELL. The State meeting, sir.

The CHAIRMAN. Does he know when he resigned? Try to establish the date.

Mr. APPELL. Yes, sir.

Prior to your resignation, who do you recall as having held offices within the unit of the Klan to which you were assigned known as the New Hanover County Improvement Association?

Mr. CONSTANTINEAU. Mr. McLamb and Mr. Biddle were the only two I knew that held any office.

Mr. APPELL. Did Mr. Warren Chadwick hold any office at that period of time?

Mr. CONSTANTINEAU. I heard that he did, but I don't know what it was other than being a local leader.

The CHAIRMAN. A local what?

Mr. CONSTANTINEAU. The head of the local unit.

Mr. APPELL. Do you recall the identity of any other members of the Klavern to which you were assigned?

Mr. CONSTANTINEAU. Mr. Chadwick, Mr. Biddle, Mr. McLamb are the only ones that I can remember the names of.

Mr. APPELL. Mr. Constantineau, W. J. Chadwick, to whom you referred, made a complaint at the sheriff's office that he had purchased a tear gas gun from Milton Finkelstein Music Company. Had you also been charged with the sale of Penguin type tear gas kits?

Mr. CONSTANTINEAU. Yes, sir.

Mr. APPELL. What knowledge did you possess at that time with respect to the illegality of the sale of such weapons?

Mr. CONSTANTINEAU. I had no knowledge whatsoever that they were illegal. They were being sold throughout the State.

Mr. APPELL. Did Warren Chadwick make the complaint against the store that I mentioned following your arrest because no action had been taken against them?

Mr. CONSTANTINEAU. I believe that is correct.

Mr. APPELL. Do you know that this was a discussion within the Klan, yourself and others, that this is what he should properly do?

Mr. CONSTANTINEAU. No, sir; I did not know anything about that until after he had done it.

Mr. APPELL. What understanding did you later obtain?

Mr. CONSTANTINEAU. He just told me that he had bought one and turned it over to the sheriff's department.

Mr. APPELL. You stated that you attended the State meeting in July or August—

The CHAIRMAN. He said he attended a meeting about a week before he resigned.

Mr. CONSTANTINEAU. It was the last week in August.

The CHAIRMAN. It was what?

Mr. CONSTANTINEAU. The last week in August 1964.

The CHAIRMAN. And you resigned when?

Mr. CONSTANTINEAU. The week following that State meeting.

Mr. APPELL. So that puts your resignation somewhere around the 1st of September?

Mr. CONSTANTINEAU. Of last year; yes, sir.

Mr. APPELL. Yes, sir; of 1964.

Why did you resign from the Klan?

Mr. CONSTANTINEAU. My wife was in very bad health and my business—I was neglecting my business, so to speak, so I felt that I had better stay with my business. My wife was on the verge of a nervous breakdown. That was my reasons for resigning.

Mr. APPELL. Your wife's condition had some relationship to your membership?

Mr. CONSTANTINEAU. Yes, sir. She was worried of my activities.

Mr. APPELL. Would you, having been in the Klan and out of the Klan, again sign a Klan membership card?

Mr. CONSTANTINEAU. I don't believe I would at the present time.

Mr. APPELL. Do you care to state any reasons for this?

Mr. CONSTANTINEAU. Well, I don't think that they have a program that satisfies me.

The CHAIRMAN. Do you care to say what you mean by that?

Mr. CONSTANTINEAU. Well, what I mean by that is I don't see where they have anything lined up. I don't know how to express what I mean.

The CHAIRMAN. Were you familiar with how the funds were handled? Did that have anything to do with your dissatisfaction, or an important thing to do with your dissatisfaction?

Mr. CONSTANTINEAU. No, sir; that had nothing to do with it, and I don't know what the funds were used for, or dues, whatever you call them.

MR. APPELL. Within the New Hanover County area, there were, over a period of time, during the time of your membership, crosses burned, either at the New Hanover County Courthouse and other places.

Do you possess any knowledge of this?

MR. CONSTANTINEAU. No, sir; I do not.

MR. APPELL. Did you ever participate in any act of violence as a member of the Klan?

MR. CONSTANTINEAU. No, sir; I did not.

MR. APPELL. Mr. Chairman, the staff has no further questions of the witness.

The **CHAIRMAN.** Mr. Constantineau, we appreciate your appearance, as we will have any others who want to cooperate with this committee to testify to individual, firsthand knowledge. This is the first time I knew the substance of what you were to testify to. The investigator interviewed you, and I am sure that, as usual, he questioned you very carefully as to your testimony, the extent of it. We do appreciate your appearance very much.

MR. CONSTANTINEAU. Thank you.

The **CHAIRMAN.** Mr. Weltner.

MR. WELTNER. Mr. Constantineau, would you kindly examine the documents that you have submitted today in response to the subpoena?

I would like to question you about a couple of entries in there.

On the folder that refers to the date of June 13, 1964, which, as I understand, is 2 or 3 months after you became a member of the Wilmington Klan, there is an entry for W. J. Chadwick purchasing a .38 caliber S & W revolver.

I take it that is a Smith & Wesson revolver.

MR. CONSTANTINEAU. Yes.

MR. WELTNER. Is that the W. J. Chadwick you referred to as the exalted cyclops of the Klavern of which you were a member?

MR. CONSTANTINEAU. Yes, sir.

MR. WELTNER. Then if you would follow on to September 17, 1964, which, as I understand, is maybe 2 or 3 weeks following your resignation from the Klan, there is another entry that a W. J. Chadwick purchased a .32 caliber S & W revolver, which I take to be a Smith & Wesson revolver. Is that the same W. J. Chadwick?

MR. CONSTANTINEAU. Yes, sir.

MR. WELTNER. Are there any other entries in there to persons whom you know to be members of the Klan?

MR. CONSTANTINEAU. Mr. Biddle and Mr. McLamb.

MR. WELTNER. And I believe you testified that those are the only three persons whom you recall to have been members during the time that you were a member?

MR. CONSTANTINEAU. Yes, sir.

MR. WELTNER. Mr. Constantineau, you began that record on the 25th day of August 1962.

MR. CONSTANTINEAU. Yes, sir.

MR. WELTNER. And there are 11 books there. The last one is not yet completed, it having some blank space in it. I note there are about 120 entries in each one of those volumes. I would like to point out this brief analysis and ask for your comment on it, whatever relevance you think it might have.

The first volume runs from August 25, 1962, to May 6, 1963, a period of a little less than 9 months, with about 121 entries in it.

Mr. CONSTANTINEAU. Yes, sir.

Mr. WELTNER. Entries meaning sales of guns, with a few exceptions, I note, where you purchased a firearm.

The second volume runs from May 6, 1963, to October 14, 1963, about 5 months. The third volume runs from October 15, 1963, to December 27, 1963, a little over 2 months. The fourth volume runs from March 11, 1964, to July 1, 1964, about 4 months.

It was during this period of time that you became a member of the Klan.

Mr. CONSTANTINEAU. Yes, sir.

Mr. WELTNER. The fifth volume of about 120 entries runs from July 1, 1964, to August 22, 1964, 1 month. The sixth volume runs from August 22, 1964, to September 23, 1964, and that also is just about 1 month.

Then it was in this period that you resigned as a member of the Klan. Am I correct?

Mr. CONSTANTINEAU. Yes, sir.

Mr. WELTNER. Then the following volume runs from September 23, 1964, to December 1, 1964, a little less than 2 to 3 months; the next volume from December 1, 1964, to April 17, 1965, 4 months; the next volume from April 17, 1965, to August 28, 1965, about 4 months; and then the following one, which is not yet completed, August 28, 1965, to the present.

It seems to me like during that period of time in which you were a member of the Klan there was a marked increase in the sale of firearms. I am wondering if I am correct in my interpretation of the chronology here and whether or not your membership in the Ku Klux Klan had any reference to or relation to the volume of your business as a dealer in firearms.

Mr. CONSTANTINEAU. That is possible. In the gun business it usually is that business starts increasing about July and carries on through to about mid-September and then tapers off until the following year.

Mr. WELTNER. So there is a seasonal upswing in sales at any rate?

Mr. CONSTANTINEAU. Yes, sir.

Mr. WELTNER. Whether or not there is any specific connection with any organization?

Mr. CONSTANTINEAU. That is correct.

Mr. WELTNER. Thank you, Mr. Constantineau.

The CHAIRMAN. Mr. Constantineau, thanks again for your appearance. You are discharged.

In other words, you have satisfied the terms of your subpoena.

I am sorry.

Let me say that we appreciate your response to the subpoena. As I indicated yesterday, though you may not have been in the hearing room, there is Federal law which states that if a witness appears before a court, grand jury, petit jury, or a committee of the Congress, he is entitled to protection.

If anybody threatens him, coerces him, molests him, or does anything to him, that person may be punished. It is a criminal offense.

I am going to continue this subpoena; we may require your re-attendance upon further inquiry into your activities in this.

If anyone, and I don't care who he is, in high place, middle place, location—anyone—should, because of your appearance here, do anything to you, threaten you, or your family, I invite you to let me know.

Mr. CONSTANTINEAU. All right, sir.

The CHAIRMAN. We are not going to stand for that.

Therefore, the witness is continued under subpoena until January 2, 1966.

The committee will stand in recess until 2:15.

(Subcommittee members present at time of recess: Representatives Willis, Weltner, and Buchanan.)

(Whereupon, at 12:25 p.m., Monday, October 25, 1965, the subcommittee recessed, to reconvene at 2:15 p.m. the same day.)

AFTERNOON SESSION—MONDAY, OCTOBER 25, 1965

(The subcommittee reconvened at 2:25 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, and Weltner.)

The CHAIRMAN. The subcommittee will please come to order.

Mr. Appell, call your first witness for this afternoon.

Mr. APPELL. Mr. Chairman, I would like to call Fred L. Wilson.

The CHAIRMAN. Please raise your right hand, Mr. Wilson.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Did you answer?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Proceed.

TESTIMONY OF FRED L. WILSON, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. State your name for the record.

Mr. WILSON. Fred L. Wilson.

Mr. APPELL. Are you here today in accordance with a subpoena served upon you at 10:30 o'clock a.m. on the 11th day of October 1965 by a deputy United States marshal?

Mr. WILSON. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. WILSON. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

(At this point Mr. Buchanan entered the hearing room.)

Mr. APPELL. Mr. Wilson, will you state for the record when and where you were born?

Mr. WILSON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I direct you to answer that question.

Mr. WILSON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in

violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. Were you born outside the United States?

(Witness confers with counsel.)

Mr. WILSON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. I can't see where American citizenship would incriminate you in any way.

(Witness confers with counsel.)

Mr. POOL. That is, unless you were born outside the United States. That might have some bearing on it.

Mr. APPELL. Mr. Wilson, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on April 27, 1898, in Rowan County, North Carolina.

Mr. WILSON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Wilson, do you operate a business in Salisbury, North Carolina, known as the Council Street Market?

Mr. WILSON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Wilson, under the terms of the subpoena served upon you, you were demanded to bring with you and to produce before the committee certain items called for in an attachment to the subpoena, which was made a part of the subpoena. Part 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Realm (state) of North Carolina, and Rowan Sportsmen's Club in your possession, custody or control, or maintained by you or available to you as Grand Klabe (Treasurer) Realm (state) of North Carolina, and Klabe (Treasurer) Rowan Sportsmen's Club, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I demand that you produce the records called for in part 1 of your subpoena.

(Witness confers with counsel.)

Mr. WILSON. I respectfully decline to deliver to the committee any and all records requested by this subpoena under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same will not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in its subpoena dated

October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, as we have all along, let's say it is agreed, I take it, that we hereby enter into the following stipulations: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Is that understood?

Mr. CHALMERS. It is so stipulated, Mr. Chairman.

The CHAIRMAN. I therefore order and direct you, Mr. Wilson, to produce the documents called for by the subpoena duces tecum just described.

Mr. WILSON. I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. And I take it, Mr. Chalmers, so that there won't be any question about it on your part, or on my part, that wherever in the past stipulations identical to this or in substance like this, meaning the same, wherever you refer to Rule IV you mean what?

Mr. CHALMERS. Rule XI.

The CHAIRMAN. Wherever you refer to what?

Mr. CHALMERS. Wherever I referred to Rule IV previously, it was Rule XI.

Thank you, sir.

Mr. WILSON. I respectfully decline to deliver to the committee any and all documents and records as demanded by this committee in the subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Wilson, under part 2 of the subpoena, you are ordered to bring with you and to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Klabe (Treasurer) Realm (state) of North Carolina, and Klabe (Treasurer) Rowan Sportmen's Club of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any officer of said organization, the same being in your possession, custody or control.

I now ask that you produce those documents.

Mr. WILSON. I respectfully decline to deliver the committee any and all records requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the

Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in the subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, without the necessity of repetition, it is agreed that the same stipulation in two parts we just entered into would apply to this paragraph of the subpoena?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Wilson, I therefore order and direct you to produce those documents.

Mr. WILSON. I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. POOL. Mr. Wilson—

Mr. CHALMERS. He has not completed his answer.

Mr. WILSON. I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in the subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. Mr. Wilson, as you have heard previously, your counsel and our chairman have set up stipulations that show we are in disagreement as to whether or not you should bring these documents and produce them to this committee.

I want to tell you, as a member of this committee, speaking only for myself, that your action by refusing to produce these documents here under a valid subpoena, and under that I consider the case law in our favor, that I am going to vote in committee to cite you for contempt of Congress. I am speaking for myself. I don't know what the rest of the committee will do. But that is the way I feel about it.

You can go ahead and answer if you want to or say anything you want to right now. But that is what you are up against. That is a statement. I did not ask for an answer. If you want to answer, I will be glad to hear it. But this is dead serious business and I am trying to be fair with you by stating it that way.

The other day I read some case law to one of the other witnesses. Your lawyer disagrees with the effect of that decision. But in my mind I am convinced that it applies to you and it applies to your action here today in refusing to bring these records in here to this

committee and let the people of America as well as Congress know what is in those records.

I think the Congress has a right to know it. I think you are in contempt of Congress if you do not produce them. I am telling you I am trying to be fair to you.

The CHAIRMAN. All right, Mr. Appell.

Mr. APPELL. Under part 3 of your subpoena, Mr. Wilson, you were ordered to bring with you and to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040 [which is titled], "U.S. Individual Tax Return," for the calendar years 1968 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask that you produce these documents.

Mr. WILSON. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in its subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Wilson, the committee made certain inquiries of the U.S. Treasury Department with respect to application by one Fred Lee Wilson, of Salisbury, North Carolina, for the purchase of wagering tax stamps. The Treasury Department advised the committee that their records show that Fred Lee Wilson purchased stamps for the fiscal years ended June 30, 1964, and June 30, 1965.

Is that information factual?

Mr. WILSON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Witness confers with counsel.)

Mr. APPELL. Mr. Wilson, were you ever convicted for violating North Carolina lottery laws?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, I put it to you as a fact, and ask you to affirm or deny the fact, that on June 27, 1960, you were convicted for violating the lottery laws in the sale and distribution of tip boards; that you were sentenced to 6 months in the Rowan County Jail, which sentence was suspended upon the payment of a \$200 fine, and that you be on your good behavior and not violate lottery laws of North Carolina for 2 years.

I ask you to affirm or deny the fact as I have read it to you.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Wait a moment, unless this question be misunderstood.

Is it not a fact, Mr. Wilson, that according to the tenets of the Klans which, in the open, they proclaim, they are against gambling, drinking, and the like?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. This is a chance to speak out, Mr. Wilson, because this involves your veracity under oath. I am not directing you to answer. I am describing at least two grounds of pertinency in the question.

Proceed.

Mr. APPELL. Mr. Wilson, Investigator McConnon, of our staff, in reporting an interview with Mr. Arthur C. Leonard, reported that Mr. Arthur C. Leonard advised him that you were the State treasurer as of October 12, 1965.

Is this information reported by the investigatory staff factual?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, I hand you a signature card drawn on the Wachovia Bank and Trust Company, Salisbury, North Carolina, dated May 13, 1965, in the name of the United Klans of America, Inc., containing three signatures with the notation "2 sig's required," the three names being James R. Jones, Donald E. Leazer, and Fred L. Wilson, care of James R. Jones, mail address: P.O. Box 321, Granite Quarry, North Carolina.

In handing you this I put it to you as a fact, and ask you to affirm or deny the fact, that this is the official signature card covering a United Klans of America bank account at the Wachovia Bank and Trust Company, Salisbury, North Carolina.

(Witness confers with counsel.)

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Donald Leazer Exhibit No. 3." See p. 1894.)

Mr. POOL. Are you through with this trying to establish the fact he is treasurer?

Mr. APPELL. Yes, sir.

Mr. POOL. Mr. Wilson, did you file income tax returns for yourself individually or in your representative capacity as treasurer of this Klavern? No, you were grand klabee of the Realm of North Carolina, UKA. Did you file income tax returns for that organization?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. Did you file individual income tax returns?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, the bank account to which we are referring shows that starting with the deposit of May 13, 1965, and con-

cluding with the deposit of September 19, 1965, there was deposited to this account in the form of cash——

The CHAIRMAN. And the account is in the name of what?

Mr. APPELL. The United Klans of America, Inc., care of James R. Jones.

—there was deposited to this account in the form of coins and currency \$15,404.45. There was deposited to this account in the form of checks \$1,498.92, making a total deposit of \$16,903.37.

Would you tell the committee the source from which these funds were derived?

Mr. WILSON. I respectfully decline to answer that question based on the grounds previously stated.

(Bank records previously marked "James Jones Exhibit No. 7-A.")

The CHAIRMAN. You have been questioned and it has been established that you were the treasurer, the man handling the money for the Realm of North Carolina. I ask you this question: Did you deposit to this account or any other bank account all the funds handled by you in connection with the activities of the United Klans of America, Realm of North Carolina?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, I hand you an envelope containing 12 checks of \$150 each for a total of \$1,800, made payable to Donald E. Leazer, who Mr. Leonard identified as being the realm secretary.

The CHAIRMAN. I don't think he identified him.

Mr. APPELL. To our investigator.

I ask you if these checks were countersigned by you as payment to Mr. Leazer of a salary from the Realm of North Carolina.

The CHAIRMAN. And those checks are weekly checks or monthly checks?

Mr. APPELL. Approximately weekly, Mr. Chairman. I can read the exact dates of them if you want me to.

Mr. POOL. The will be going into the record anyway.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

(Checks previously marked "James Jones Exhibit No. 7-F." See p. 1721.)

Mr. APPELL. I show you a series of checks drawn on the United Klans of America, Wachovia Bank and Trust, made payable to M. R. Kornegay. These checks are July 5, July 10, July 16, July 23, August 1, August 6, August 14, and August 20.

The CHAIRMAN. 1965?

Mr. APPELL. 1965.

And all of these checks are countersigned James R. Jones and Donald E. Leazer, except the last one of August 20, 1965, countersigned James R. Jones and Fred L. Wilson.

Were those checks issued in payment to Mr. Leazer as a paid employee of the United Klans of America—I mean to Mr. Kornegay?

(Documents handed to witness.)

Mr. WILSON. I decline to answer that question based on the grounds previously stated.

(Checks previously marked "James Jones Exhibit No. 7-E." See p. 1721.)

The CHAIRMAN. Is that the same Kornegay who appeared here last week?

Mr. APPELL. Yes, sir.

Mr. POOL. What is the amount?

Mr. APPELL. Eight checks at \$150 each, for a total of \$1,200.

The CHAIRMAN. Let the reporter note a thing which I have repeated from time to time, that all documents exhibited to and discussed with this witness, as well as others this morning, will be received in evidence at the respective points where they were exhibited or discussed.

Mr. APPELL. Mr. Wilson, I note that in reviewing checks payable to Mr. Kornegay, that I have exhibited to you, and checks payable to Donald E. Leazer, that there are seven checks in the amount of \$150 each and one in the amount of \$100, payable to George Dorsett. There are 16 checks of \$150, totaling \$2,400—

The CHAIRMAN. For what period? That is, from the first to the last.

Mr. APPELL. The earliest in the case of Grady Mars, who received 16 checks, the first check was June 4, and the last was September 17 (James Jones Exhibit No. 7-D, p. 1720). In the case of George Dorsett, the first check was 7-23-65 and the last was 9-17 (James Jones Exhibit No. 7-B, p. 1720). In the case of Donald Leazer, the first check was July 2 and the last was September 17 (James Jones Exhibit No. 7-F, p. 1721). In the case of Kornegay (James Jones Exhibit No. 7-F, p. 1721), who, Mr. Chairman, the record discloses became Grand Dragon for the Realm of Virginia, it was July 5 through August 20, all of the year 1965.

I notice in reviewing these checks, Mr. Wilson, that some are signed by you as the comaker on the bottom line; some on the top line. Do you sign checks in blank and turn them over to Mr. Jones?

Mr. WILSON. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. Mr. Wilson, without implying that it would violate your charter and bylaws as to which I am uninformed, I ask you this question: Are the officials, including yourself, of the United Klans of America, appearing before this committee, receiving expenses for your attendance here, as distinguished from the others who have not as high a title in the organization?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, the committee's investigation established that in December 1958, or early January 1959, that you were expelled from the Salisbury Klavern for the nonpayment of dues. Is this information factual, sir?

Mr. WILSON. I respectfully decline to answer that question based on the grounds previously stated.

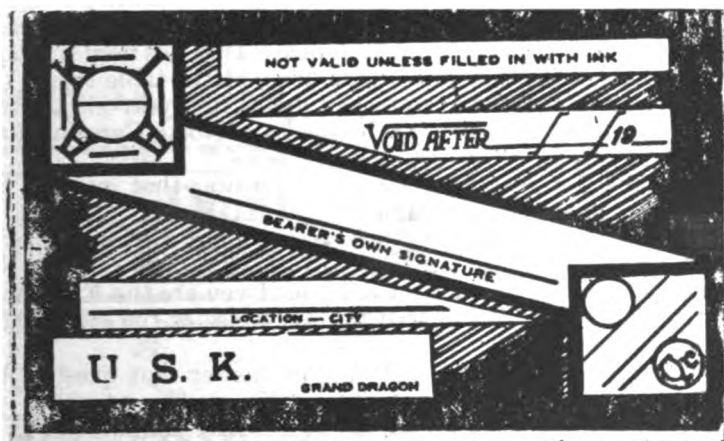
Mr. APPELL. Mr. Wilson, I hand you a form of membership card used by the U.S. Klans. I ask you if you held a membership card similar to that while you were a member?

(Witness confers with counsel.)

Mr. WILSON. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "Fred Wilson Exhibit No. 1" follows:)

FRED WILSON EXHIBIT No. 1



Mr. APPELL. The committee's investigation determined that even back in the days of the U.S. Klans a man's membership card and a man was known within his Klavern by a number and by a name, and that within the Realm of North Carolina under the U.S. Klans the number assigned to a Klan member was a 200-series dash, and then a third set of numerals. I ask you if your number was 200-001?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I ask you if the card that you now carry as a member of the United Klans of America, distinguished from an officer of the realm, is identical to this card except adapted to apply to the United Klans of America rather than the U.S. Klans.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you still carry the number 1?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Is it not a fact, Mr. Wilson, that when Mr. Shelton and his group formed the United Klans of America and broke away from the U.S. Klans, that there was quite some competition for the old membership of the U.S. Klans, and at the prodding or persuasion of Mr. Shelton and his entourage, a great number, including yourself, belonging to the old organization, then shifted to the Shelton organization?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. Mr. Wilson, I have been sitting here watching your appearance. You impress me as a man who is not afraid to say anything. I want to ask you this: Have you been threatened in any manner about your testimony here before this committee today?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. This is your chance, if that has happened to you, this would be your chance to lay it on the line. The committee would take appropriate action to see to it that these threats would not be carried out. I am just trying to give you a chance. That has been the impression you have given me since you sat down at the table there.

Mr. APPELL. Mr. Wilson, were you again this year elected to the position of klabee or treasurer of the Realm of North Carolina, United Klans of America?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a franchise tax report filed with the State of North Carolina, signed by James R. Jones, Grand Dragon, North Carolina, dated July 20, 1965. I ask you if you are the F. L. Wilson, Salisbury, North Carolina, listed by Mr. Jones as the organization's treasurer.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Donald Leazer Exhibit No. 1." See pp. 1891, 1982.)

Mr. APPELL. Mr. Jones sets forth in this document that the officers of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., in North Carolina, having a Post Office Box of 321, Granite Quarry, were himself as president, with an address at Granite Quarry, North Carolina; G. B. Mars, with an address of Warrenton, North Carolina, vice president; with D. E. Leazer, of Salisbury, North Carolina, as secretary; and F. L. Wilson, Salisbury, North Carolina, as treasurer.

I put it to you as a fact, and ask you to affirm or deny the fact, that these are are current officers of the Realm of North Carolina.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, the committee's investigation established that during the month of February and in the month of September 1964 the United Klans of America, under the cover name of Alabama Rescue Service, held two klonvokations or conventions at the Dinkler-Tutwiler Hotel in Birmingham, Alabama.

I hand you copies of two registration cards, one of February 8, signed Fred L. Wilson, 610 Little, Salisbury, one of September 2, 1964, Mr. and Mrs. Fred Wilson, 610 Little, Salisbury, North Carolina.

I put it to you as a fact, and ask you to affirm or deny the fact, that these are true copies of your signature as applied to the registration card when you registered at the Dinkler-Tutwiler Hotel in Birmingham, Alabama, on the dates indicated.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Fred Wilson Exhibits Nos. 2-A and 2-B," respective, follow:)

FRED WILSON EXHIBIT NO. 2-A

440-42 WILSON FRED & MRS 20-40 65403

H 65403

H-W 3/2 SALISBY NC

PLEASE CHECK YOUR BAGGAGE OR SEND SAME TO YOUR ROOM: OTHERWISE THE HOTEL COMPANY WILL NOT BE RESPONSIBLE FOR LOSS

Dinkler-Tutwiler

2

DINKLER HOTEL CORPORATION
"DISPENSED OF TIME WITHOUT RESPONSIBILITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE

Name Mr & Mrs Fred Wilson
 Street 610 Little Salisbury State NC
 Room No. 440-42 Rate 10.40
 BMTWTFS

FRED WILSON EXHIBIT NO. 2-B

1232 WILSON FRED L 7-28 47923

H 47923

F-202/18 SALISBURY NC

PLEASE CHECK YOUR BAGGAGE OR SEND SAME TO YOUR ROOM: OTHERWISE THE HOTEL COMPANY WILL NOT BE RESPONSIBLE FOR LOSS

Dinkler-TutwilerDINKLER HOTEL CORPORATION
"DISPENSED OF TIME WITHOUT RESPONSIBILITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE

Name Fred L Wilson
 Street 610 Little Salisbury State NC
 Room No. 1232 Rate 7.00
 BMTWTFS

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that at the February klonvokation Robert Thompson from Georgia was elected Imperial Klaliff, or vice president; W. L. Perkins, Tuscaloosa, Alabama, was elected Imperial Kligrapp or secretary; and that Fredrick Smith of Tuscaloosa, Alabama, was elected Imperial Klabee or treasurer. I ask you to affirm or deny that.

Mr. WILSON. I respectfully decline to answer that question upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact that, at the September klonvokation, Robert Shelton was unopposed in reelection for the office of Imperial Wizard; that Robert Collins, of Birmingham, was elected Imperial Klokard; that George Dorsett of Greensboro, North Carolina, was elected Imperial Kludd; that R. Hudgins, of Raleigh, North Carolina, was elected Imperial Kladd; that Walter Brown, of Sumter, South Carolina, was elected Imperial Klarogo; and that Robert Korman, of Florida, was elected Imperial Klexter.

I ask you to affirm or deny that.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, the committee obtained through subpoena duces tecum the bank account of the United Klans of America from the Security Bank and Trust Company in Salisbury, North Carolina. Included in these documents were documents that are signature cards which were introduced into the record this morning during the appearance of Mr. Arthur C. Leonard.

I hand you each of these cards and put it to you as a fact, and ask you to affirm or deny the fact, that these signature cards were authorized by the Klavern and that the current signature card lists Fred L. Wilson as treasurer, with the two other authorized signatures as W. R. McCubbins and Wayne Dayvault. I ask you to affirm or deny it.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents previously marked "Arthur Leonard Exhibits Nos. 1-A through 1-D." See pp. 1902-1905.)

Mr. APPELL. Mr. Wilson, I hand you checks drawn against this account, all payable to the United Klans of America or James R. Jones or J. R. Jones, all containing your signatures as one of the co-signers, and I put it to you as a fact, and ask you to affirm or deny the fact, that these checks were drawn in the official capacity of the organization as an affiliate of the United Klans of America, Inc.

The CHAIRMAN. How many checks are you handing him?

Mr. APPELL. Ten, sir.

The CHAIRMAN. What is the date of the first and the last?

Mr. APPELL. The first is September 18, 1963, and the last that is in this group is August 24, 1964.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I would like for the record to show that the check—well, I will not worry about the sequence, Mr. Chairman.

A check dated February 13, 1964, made payable to the United Klans of America, is endorsed United Klans of America, and reendorsed James R. Jones, in the amount of \$15; check of February 13, 1964, in the amount of \$16, the purpose for which drawn is State dues, made payable to James R. Jones, endorsed James R. Jones, with a further endorsement, "For deposit only" at the Rowan Telephone Co., Inc.

The CHAIRMAN. What?

Mr. APPELL. A telephone company, incorporated, of Granite Quarry, but I cannot tell what the official and full name of the telephone company is.

The CHAIRMAN. For deposit to whose account?

Mr. APPELL. The telephone company account.

A check dated March 5, 1964, in the amount of \$17.25, marked "Feb. Dues," deposited as a payment of a loan which Mr. and Mrs. Jones had at the Wachovia Bank and Trust Company, Salisbury, North Carolina; a check in the amount of \$14.50 made payable to J. R. Jones for State dues, endorsed J. R. Jones, reendorsed for deposit to the account of the Suburban Printing Company; a check of August 24, 1964, to J. R. Jones, in the amount of \$22, endorsed J. R. Jones, reendorsed for deposit in Suburban Printing Company; a check dated January 7, 1964, to James R. Jones, \$16, N.C. tax.

I can make it clearer now, Mr. Chairman, the telephone company. It is endorsed James R. Jones, for deposit only to the account of the Eastern Rowan Telephone Company.

A check in the amount of \$15 to J. R. Jones, dated December 11, 1963, the purpose for which drawn being State tax, endorsed J. R. Jones, with the further endorsement "Deposit Only Food Town #4, Salisbury, N.C."

A check dated November 6, 1963, in the amount of \$15, endorsement of James R. Jones, and the second endorsement of an individual whose name cannot be read, but it shows it was not deposited into either of Mr. Jones' many bank accounts; a check dated October 9, 1963, payable to J. R. Jones, \$13.50, State tax, endorsed J. R. Jones and further with the second endorsement of Jesse L. Corriher, who is an official of the Klavern to which Mr. Wilson belongs; a check dated September 18, 1963, to J. R. Jones, \$12.50, N.C. tax endorsed J. R. Jones, reendorsed by Mrs. Melvin Barringer, and deposited to the account of Stillers & Son, General Store.

The CHAIRMAN. And the point you are making is what?

Mr. APPELL. The point I am making, Mr. Chairman, is that while we have three bank accounts of the United Klans of America, one of which includes the personal account of Mr. and Mrs. Jones, to whom we have established that tax money from Klaverns is deposited, that a detailed examination of those accounts does not reflect all of the money paid to Mr. Jones because, as is evident from this, some checks are cashed at other places for other purposes.

The CHAIRMAN. And do not go either to the Jones' personal account or the Klan account?

Mr. APPELL. Right, sir.

The CHAIRMAN. Those, of course, would constitute income.

Mr. APPELL. Yes, sir.

The CHAIRMAN. That is, if what you say is correct.

Mr. APPELL. Yes, sir.

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ACTIVITIES OF KU KLUX KLAN IN THE U.S.

(Checks marked "Fred Wilson Exhibits Nos. 3-A through 3-J," respectively. Exhibit 3-A follows; balance retained in committee files:)

FRED WILSON EXHIBIT NO. 3-A

355 66-948 651

DATE Feb 13, 1964

United Klans of America Inc \$ 15.00

14700 DOLLARS

UNITED KLANS OF AMERICA, INC.

Fred S. Wilson

W R McCullins

405310948

UNITED KLANS OF AMERICA, INC.
KNIGHTS OF K. L. K.

United Klans of America Inc

Fifteen

Field Office

SECURITY BANK & TRUST CO.
SPRINGFIELD, NORTH CAROLINA

United Klans of America Inc
James Jones

BANK OF AMERICA
ALL FIRST CLASS MAIL

FEB 17 1964

SECURITY BANK & TRUST CO.
82-47

Mr. APPELL. Mr. Wilson, I now show you a check dated February 23, 1965, United Klans of America, in the amount of \$57.99, with the purpose for which drawn not shown—

The **CHAIRMAN.** Before that, some of these checks, 16, I think, in number, were any or all or part of them signed by Mr. Wilson?

Mr. APPELL. Every one, Mr. Chairman, contained Mr. Wilson as one of the signators.

The **CHAIRMAN.** All right, Mr. Wilson, I ask you: Did you know that the checks which you signed and which are now exhibited and being offered for the record were used by Mr. Jones for purposes not connected with Klan activities?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, I hand you this check dated February 23, 1965, United Klans of America being the organization listed on the line of "Pay to the Order of" and it is cosigned by Fred L. Wilson and W. R. McCubbins. I invite your attention to the reverse thereof where you find the endorsement "United Klans of America, Rowan Sportsmen's Club, Fred L. Wilson, Treasurer."

Wasn't this check a part of the deposit which closed out the old account in the name of the United Klans of America and used to start the new account in the name by which the Klavern is now known, namely, Rowan Sportsmen's Club?

(Check marked "Fred Wilson Exhibit No. 4" and retained in committee files.)

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, I hand you a total of seven checks—let me take them one at a time.

I hand you a check dated September 19, 1964, made payable to the order of Fred Wilson in the amount of \$225, with the purpose for which drawn being reimbursement.

Can you advise the committee in what way you were reimbursed?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I show you a check dated April 20, 1964, payable to Fred L. Wilson in the amount of \$95.85, with the purpose for which drawn being "Building Fund." Was the \$225 to you and this \$95.85 a means whereby the Klavern reimbursed you for money which you advanced to permit them to buy a place in which the Klavern would hold its meetings?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. There are five more checks, Mr. Wilson, payable to you either prior to the change of the name to the Rowan Sportsmen's Club and since the change. Would you examine these checks and advise the committee the purpose for which these checks were drawn payable to you?

(Documents handed to witness.)

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

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ACTIVITIES OF KU KLUX KLAN IN THE U.S.

(Checks marked "Fred Wilson Exhibits Nos. 5-A through 5-G," respectively. Exhibits 5-A and 5-G follow; balance retained in committee files:)

FRED WILSON EXHIBIT NO. 5-A

UNITED KLANS OF AMERICA, INC. SPONSOR OF K. K. K.		373
Pay to the order of <u>Fred Wilson</u> <u>Two Hundred Twenty Five</u> ————— FOR <u>Reimbursement</u>		DATE <u>Sept 19 64</u> \$ <u>225.00</u> 225 00
SECURITY BANK & TRUST CO. SPENCER, NORTH CAROLINA		UNITED KLANS OF AMERICA, INC. <u>Fred L. Wilson</u> 4121 1/2 W. 66th St.
⑆0531-0948⑆		

FRED WILSON EXHIBIT NO. 5-G

 ROWAN SPORTSMEN'S CLUB		81
Pay to the order of <u>Fred L. Wilson</u> <u>Eighteen dollars & 00/100</u> ————— SECURITY BANK & TRUST CO. SPENCER, NORTH CAROLINA		DATE <u>7/20</u> 19 <u>65</u> \$ <u>18.00</u> 18 00
ROWAN SPORTSMEN'S CLUB <u>Fred L. Wilson</u> <u>Raymond L. Jones</u>		DOLLARS
⑆0531-0948⑆		

The CHAIRMAN. Were these checks made payable to you and did you cash them for personal use or for Klan activities duly authorized?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, early in the year 1965 a State meeting was held in North Carolina at which the officers, including yourself, were elected. It is the committee's information that Grand Dragon Jones, in the course of a discussion, brought up Raymond Mills, and the fact that he had been arrested in the bombings in New Bern.

I ask you if it is a fact, I put it to you as a fact, and ask you to affirm or deny the fact, that he reported that Mills had not been banished, and asked all units to help financially.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did he request at that same time that all moneys for the defense of Raymond Mills be sent to Mr. Grady Mars, General Delivery, Warrenton, North Carolina?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.


Mr. APPELL. Did you, on the date of April 20, 1965, on an imprinted check of the Rowan Sportsmen's Club, countersign the check along with Wayne Dayvault, in the amount of \$26.60, made payable to Grady B. Mars, and the purpose for which paid marked as "Defence Fund"?

(Document handed to witness.)

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Fred Wilson Exhibit No. 6" follows:)

FRED WILSON EXHIBIT NO. 6

		ROWAN SPORTSMEN'S CLUB		19
DATE 4/21/65		AMOUNT \$26.60		65 940 531
Pay to the order of Grady B. Mars		Twenty six dollars + 60/100		
SECURITY BANK & TRUST CO. SPENCER, NORTH CAROLINA		ROWAN SPORTSMEN'S CLUB		DOLLARS
For Defence Fund		Fred I. Wilson		
		Wayne Dayvault		0000000 2660
-120531-09480				

Mr. WELTNER. What was the date of that check?

Mr. APPELL. April 20, 1965.

The CHAIRMAN. Do you know whether Grady Mars did, in fact, remit that amount to Mr. Mills for his defense to the incident he was involved in?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. What was the date in 1965 when he was arrested?

Mr. APPELL. He was arrested on January 22, 1965, and I think the change of his plea in the trial to guilty was June 3.

Mr. Wilson, I read into the record this morning—

The CHAIRMAN. Wait a moment.

There will appear in the record, I know, that the check made payable to Grady B. Mars was simply endorsed "Grady B. Mars." It bears no other endorsement.

I am not informed as to what it was used for. Here is an opportunity, if you know, to say that Grady B. Mars used the money for the purposes intended. I might tell you, Mr. Wilson, that the committee has information that in certain instances, quite a few, so-called drives for defense funds were made and the funds not given to those accused.

If this is not such a situation, I welcome you to clarify it, if you wish to.

Do you wish to clarify it?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, in the course of this morning's presentation there was an allusion made to the creation of an organization in the spring of 1959 known as the Black Shirts which later joined an organization headed by August W. Holman of Columbia, South Carolina, known as the Chessmen.

Were you a member of that organization, sir?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Wilson, on the 28th day of May 1965, a cross was burned, as were many burned throughout the State of North Carolina on that day, at the Health Center in Salisbury. Do you possess any knowledge with respect to this cross-burning?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. As a State officer, do you possess knowledge of any of the cross-burnings carried out on May 28, 1965?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Are you acquainted with the Grand Dragon of South Carolina, Robert Scoggin?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Isn't it a fact that you knew him to be the Grand Dragon for the Realm of South Carolina of the U.S. Klans under Imperial Wizard Eldon Edwards?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Isn't it a fact that you now know him to be Grand Dragon of the Realm of South Carolina under Robert M. Shelton?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I show you a photograph, the glossy print of one, which appeared in the *Charlotte Observer* of August 30, 1964, and I put it to you as a fact and ask you to affirm or deny the fact that the three men shown, excluding the man on the white horse or the robed horse, are James Robertson Jones, the Grand Dragon of the State of North Carolina; yourself, the treasurer or klabee of the Realm of North Carolina; and Robert Scoggin, although it is here with an s, S-c-o-g-g-i-n-s, the Grand Dragon for the Realm of South Carolina.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

(Photograph marked "Fred Wilson Exhibit No. 7." This exhibit will be reproduced in a forth coming report on Ku Klux Klan organizations.)

Mr. APPELL. Mr. Wilson, without going over this again for the record, because it is already in the record, I wish to show you a report of funds made by Robert Marshall Kornegay relating to the Cadillac which the Klaverns financed and which Mr. Jones is now driving. I ask you to give me the identity of the secretary who transmitted the funds from each of the Klaverns enumerated on this list.

(Document handed to witness.)

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "James Jones Exhibit No. 18-A." See p. 1746.)

Mr. APPELL. Mr. Chairman, I would like the record to show that there appeared on the check stub of the records turned over to us last week by Joseph DuBois, of the Wayne County Improvement Association, that a check was written from that account on September 14, 1964, in the amount of \$120, the purpose for which drawn being membership fees through 9-14-64.

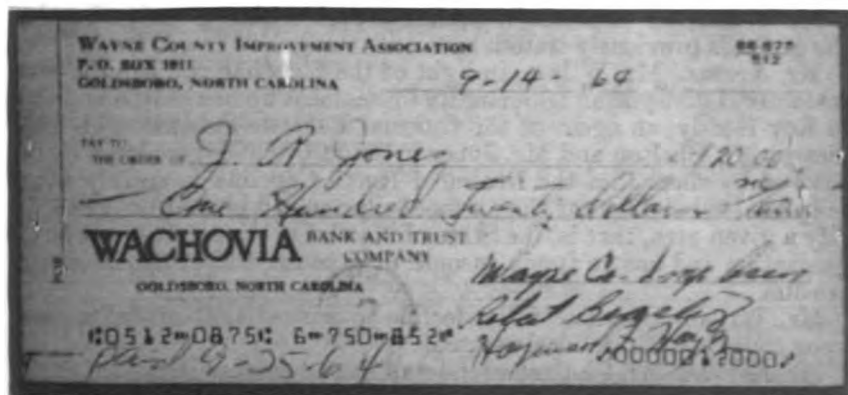
I show you the check, Mr. Wilson, and ask you whether that represents a remittance to the State from the membership fees—to the realm—or the portion of member initiation fees which is reportable to the realm.

(Document handed to witness.)

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Fred Wilson Exhibit No. 8" follows:)

FRED WILSON EXHIBIT NO. 8



Mr. APPELL. Mr. Chairman, I wish to point out for the record that also in the records from the Wayne County Improvement Association there is a check dated August 2, 1965, in the amount of \$66.50 to the Alabama Rescue Service marked "Dues" and on the same date a check to J. R. Jones in the amount of \$33.25 marked "Dues."

If, Mr. Chairman, we take the 25 cents per member which at that time was paid to the State, and 50 cents per member which was due as the imperial share of the dues, the Wayne County Improvement Association as of that date had 133 members.

(Documents marked "Fred Wilson Exhibits Nos. 9-A and 9-B," respectively, and retained in committee files.)

The CHAIRMAN. Is that Mr. DuBois' unit?

Mr. APPELL. Yes, sir.

Mr. POOL. Go over that again. Mr. Jones got how much?

Mr. APPELL. Mr. Jones got \$33.25. To the Alabama Rescue Service you double that amount, \$66.50, and at the rate of 25 cents per member on the realm level, or 50 cents per member on the imperial level, the membership of the Klavern as of the period that this covers was 133.

Mr. POOL. He wasn't trying to cheat the imperial realm; was he? Did he turn in the exact amount he should have, according to their rules?

Mr. APPELL. Mr. Pool, the treasurer of the Klavern has nothing to do with membership records and he draws the check payable on the basis of what the secretary, who maintains the membership records, advises him is due on the basis of membership.

Mr. POOL. There is no discrepancy at this point between the imperial and the state.

Mr. APPELL. Mr. Wilson, are you also treasurer for the United Klans of America on a bank account maintained at the Farmers & Merchants Bank in the name of the United Klans of America, care of J. R. Jones?

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. When, as the record pointed out last week, there were two checks drawn against that account in payment for a truck, do you possess knowledge as to whether or not that truck was titled in the name of the United Klans of America, or in the name of J. R. Jones?

Mr. WILSON. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Wilson, in light of the fact that you are the State treasurer, I give you an opportunity to comment upon a statement made to Roy Heddy, an agent of the Internal Revenue Service, who interviewed Mr. Shelton and Mr. Jones in August of 1965, wherein he was advised by them that the Realm of North Carolina is simply a geographical subdivision of the national charter and is used only to identify a given area, that is, the State of North Carolina. It is not an organization and has no funds, income, or expense; therefore, no returns are due.

Mr. WILSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. Would you step aside for a moment, Mr. Wilson, but remain in the room? We may call you back.

Mr. CHALMERS. Mr. Chairman, may I just state that my client informed me that he has a severe heart condition and has an appointment with a physician tomorrow with respect thereto. I would like to call that to the chairman's attention. I am certain that the chairman would want to accommodate him in any way possible.

The CHAIRMAN. I made that suggestion at the suggestion of Mr. Weltner, who said he may have some further interrogation.

Do you have further interrogation?

Mr. WELTNER. No, sir; I don't.

The CHAIRMAN. Then the witness will be excused and discharged from his subpoena.

Mr. CHALMERS. Thank you, sir.

The CHAIRMAN. I want to point out, however, Mr. Chalmers, that this is the first knowledge that the Chair or members of the staff have

had concerning Mr. Wilson's condition. It has never been called to our attention before. I don't reproach you or anybody else. I am just stating that as a fact.

Mr. CHALMERS. That is correct, and I am certain that the Chair and no members of the committee had any knowledge of it, sir.

The CHAIRMAN. Call your next witness, Mr. Appell.

Mr. APPELL. Mr. Chairman, I would like to call Grady B. Mars.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARS. I do.

The CHAIRMAN. And his name is what?

Mr. APPELL. Mr. Mars.

The CHAIRMAN. Grady B. Mars.
Proceed.

TESTIMONY OF GRADY BURDELL MARS,¹ ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Mars, will you state your full name for the record, please, sir?

Mr. MARS. Grady Burdell Mars.

Mr. APPELL. Would you spell your middle name?

Mr. MARS. B-u-r-d-e-l-l.

Mr. APPELL. As to the other two parts of your name, Grady and Mars, I spelled them properly, G-r-a-d-y, M-a-r-s?

Mr. MARS. That is correct, sir.

Mr. APPELL. Mr. Mars, are you appearing before the committee this afternoon in connection with a subpoena served upon you at 11:40 o'clock a.m. on the 11th day of October 1965?

Mr. MARS. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. MARS. Yes, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Mars, when and where were you born?

Mr. MARS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. I order and direct you to answer that question.

Mr. MARS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Mars, do you receive a monthly income from the Government of the United States?

¹ According to the *Washington Star* of Dec. 15, 1965, Grady Mars committed suicide on Dec. 11 at his home in Granite Quarry, N.C.

1946

ACTIVITIES OF KU KLUX KLAN IN THE U.S.

Mr. MARS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Are you a retired member of the Armed Forces of the United States?

Mr. MARS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Mars, I ask you the source of the income reported on numerous deposit slips. I will refer to one of April 1, 1964, which shows a deposit in the amount of \$144.55, and the source of the check being the Treasury.

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

Document marked "Grady Mars Exhibit No. 1" follows:)

GRADY MARS EXHIBIT NO. 1

DEPOSITED IN
THE CITIZENS BANK
WASHINGTON, D. C.

By Grady B. Mars

Date April 1, 1964

CURRENCY	Dollars	Cents
Check on follows		
<u>Mars</u>	<u>144</u>	<u>55</u>

Mr. APPELL. Mr. Mars, under the conditions of the subpoena served upon you on October 11, 1964, you were commanded to bring with you and to produce for the committee documents which were set forth on an attachment which was made a part of the subpoena. Part 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Realm (State) of North Carolina and New Bern and Blounts Creek Fund, in your possession, custody or control, or maintained by you or available to you as Grand Klaliff (Vice President), and employee Realm (State) of North Carolina and as an officer of the New Bern and Blounts Creek Fund of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. MARS. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, I take it that the stipulation which we have been entering into all along, namely (1) that the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents, and (2) that the direction of the subpoena to produce the documents called for was made to the witness in the official representative capacity described in the subpoena obtains and applies in this case and is hereby entered into between you and me?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. You, for your client, and me for the committee.

Mr. MARS, I order and direct you to produce the documents testified to, those contained in the subpoena.

Mr. MARS. I respectfully decline to deliver to the committee any and all records as requested by this committee under the subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by this committee in the subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me

by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Mars, under part 2 of the subpoena which under the conditions of the subpoena you were to bring with you and produce there are set forth:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Klaliff (Vice President) and employee Realm (State) of North Carolina of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask that you produce those documents.

Mr. MARS. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, is it understood that the stipulation we made a moment ago in two parts applies to this part of the demands of the subpoena?

Mr. CHALMERS. It certainly is; yes, sir.

The CHAIRMAN. I order and direct you to produce those documents.

Mr. MARS. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Mars, on July 20, 1965, James R. Jones, signing himself Grand Dragon, North Carolina, filed a domestic corporation franchise tax for the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc.

This document requires a listing of officers and there is listed by Mr. Jones, in Mr. Jones' hand, James R. Jones, Granite Quarry; G. B.

Mars, Warrenton, North Carolina; D. E. Leazer, Salisbury, North Carolina; F. L. Wilson, Salisbury, North Carolina.

I put it to you as a fact, and ask you to affirm or deny the fact, that these are current officers of the United Klans of America, Realm of North Carolina.

(Document handed to witness.)

Mr. MARS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document previously marked "James Jones Exhibit No. 2." See pp. 1710-1711.)

Mr. APPELL. Mr. Mars, I hand you checks imprinted with United Klans of America, Inc., P.O. Box 321, Granite Quarry, North Carolina, each in the amount of \$150, dated June 4, June 14, 18, 26; July 5, 10, 16, 23; August 2, 6, 14, 20, 28; September 3, 10, 17; 16 checks at \$150 each marked salary and expenses, a total of \$2400.

These are payable to Grady B. Mars. I put it to you as a fact, and ask you to affirm or deny the fact, that these checks were payable to you as a paid employee of the Realm of North Carolina.

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. I take it that you reported these checks on your individual income tax.

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Mars, I hand you back two of these checks and ask you if you can explain to the committee why.

The CHAIRMAN. I am sorry, but it has been called to my attention that these checks were dated in 1965 and are not reportable, therefore, until next year. But take my advice and report them next year.

Mr. APPELL. Mr. Mars, I shall hand you back two of these checks, one dated July 5, 1965, which contains as the first endorsement "Grady B. Mars" and the second endorsement "Syble Jones," and the check of August 2, 1965, payable to Grady Mars, containing the first endorsement "Grady B. Mars" and the second endorsement "J. R. Jones."

I ask you if you can explain to the committee why those checks are so endorsed.

(Documents handed to witness.)

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check previously marked "James Jones Exhibit No. 7-D." See p. 1720.)

Mr. APPELL. I hand you a check dated April 24, 1965, drawn on the Davidson County Sportsman Club, Lexington, North Carolina, made payable to cash in the amount of \$25.00, endorsed "Grady B. Mars, New Bern & Blounts Creek Fund."

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Grady Mars Exhibit No. 2" appears on p. 1951.)

Mr. APPELL. I show you a check drawn, according to the face of the check, by the Harnett County Improvement Association, dated

April 6, 1965, made payable to Grady B. Mars, \$100, with the endorsement "Grady B. Mars."

I ask you whether that was a contribution to the Mills Defense Fund and if it was in fact deposited to that account.

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Grady Mars Exhibit No. 3" appears on p. 1952.)

The CHAIRMAN. Mr. Mars, I notice that this check made payable to you was endorsed "Grady B. Mars." You could have cashed it, deposited it to cash, in the Defense Fund, or you could have cashed it and handed the cash to Mr. Mills.

Did you do either or did you keep the money?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, we subpoenaed from the First National Bank in Henderson, North Carolina, the records which appeared in an account known only by the name of the Keystone Club, with the co-signers to the account James R. Ranes and Robert L. Reaves.

The Henderson Bank did not have available to it the equipment necessary to reproduce the checks by the Recordak system. They therefore made an individual search and presented us with a series of checks drawn against this account which they certify to be accurate.

One of the checks is dated April 15, 1965, and it is payable to Grady B. Mars, according to the bank, in the amount of \$20.00, and contains only the endorsement "Grady B. Mars." I ask you what disposition was made of that \$20.00, Mr. Mars?

(Document handed to witness.)

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Grady Mars Exhibit No. 4" appears on p. 1953.)

Mr. WELTNER. Mr. Appell, that check has no bank stamp on it?

Mr. APPELL. As an individual certification?

Mr. WELTNER. No; bank stamp.

Mr. APPELL. Do you mean the stamp by which the check was deposited, how it got through the system?

Mr. WELTNER. How did that happen to have apparently no bank stamp on the reverse side of the check?

Mr. APPELL. On most of the checks we have received, the bank has taken a film on which the canceled check appears, and has reproduced copies from the film, from the Recordak film.

The Henderson bank was not equipped to do this. Therefore, they made an individual examination of all the items, the debit items, in the account of the Keystone and made up copies which they in transmittal certify to be the copies of the checks drawn against that account.

Mr. WELTNER. So what you have here is simply a conforming copy of the check that cleared through.

Mr. APPELL. That is correct, sir.

Mr. Mars, did you in fact open an account with The Citizens Bank, Warrenton, North Carolina, their branch at the Arcola Rural Station in the name of the New Bern and Blounts Creek Fund?

GRADY MARS EXHIBIT No. 2

DAVIDSON COUNTY SPORTSMAN CLUB
P. O. BOX 481
Lexington, N.C.

No. 3
66-987
531

LEXINGTON, N.C. April 24 1965

PAY TO THE ORDER OF Cash

Twenty Five and 00/100 DOLLARS \$ 25.00

William J. Leary
Lexington State BANK
LEXINGTON, N.C.

⑆0531⑆0987⑆ 325⑆607⑆ ⑆000000⑆500⑆

Grady Mars
New Farm & Blounts
Credit Fund

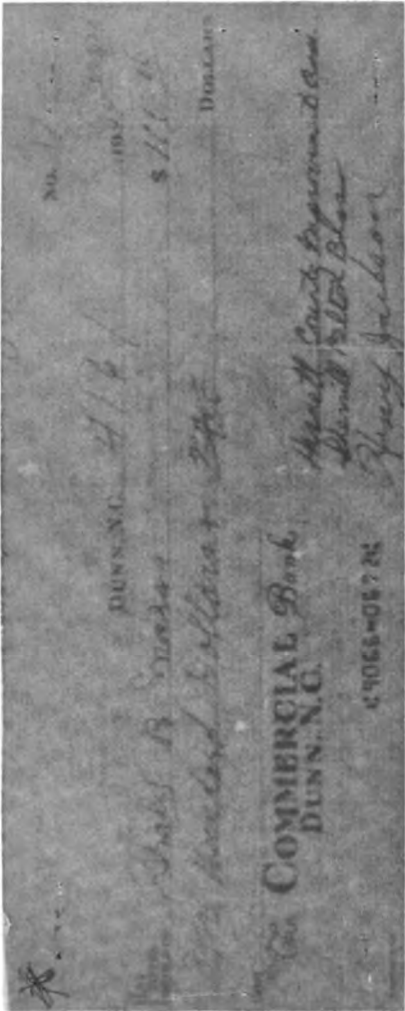
JUN 3 - 65

FEDERAL RESERVE BANK
CHARLOTTE, N.C.

66-20

FEDERAL RESERVE BANK

GRADY MARS EXHIBIT No. 3



GRADY MARS EXHIBIT No. 4

HENDERSON, N.C. 4-15 1965 No. 66142
512

FIRST NATIONAL BANK
IN HENDERSON

PAY TO THE ORDER OF Grady B. Mars \$ 20.00 DOLLARS

FOR Keystone Club
James & James
Robert & Leavel

⑆0512⑈0142⑆

Grady B. Mars

Grady B. Mars
 1st National Bank - Henderson, N.C. - April 29
 2nd National Bank - Henderson, N.C. - April 26

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. While this account contained both the names of Grady B. Mars and James R. Jones, I put it to you as a fact, and ask you to affirm or deny the fact, that the signature of Mr. Jones was never added to the signature card.

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the records subpoenaed from the bank show that the account was opened with a deposit—

The CHAIRMAN. What is the name of the account?

Mr. APPELL. The New Bern and Blounts Creek Fund.

The CHAIRMAN. What do you make that to be? Do you know? In other words, to be frank about it, do you assume this to be, perhaps, the Mills Defense Fund?

Mr. APPELL. Yes, sir; because as we put into the record last week, a check was drawn against this account in the amount of \$260 which, according to the bank, contains a notation "90 day note, Lonnie R. Mills."

The CHAIRMAN. All right.

Mr. APPELL. The deposit slip furnished us reflects that with the initial deposit of April 26, 1965, there was deposited cash in the amount of \$57.45; a check of \$20.00 designated "Henderson"; \$25.00, Beulaville; \$25.00, Dunn; \$100, Dunn; \$42.11, Fountain, North Carolina; \$26.60, Spencer, North Carolina; \$25.00, Williamston, North Carolina; making a total deposit of \$321.16.

The CHAIRMAN. And what withdrawals?

Mr. APPELL. May I deal with all the deposits first?

The CHAIRMAN. All right.

Mr. APPELL. On May 3 there was deposited the amount of \$137.00, consisting of three checks. I am sorry I cannot read the first location in North Carolina, \$50.00; Durham, North Carolina, \$57.00; Wilmington, North Carolina, \$30.00.

A deposit of May 11, consisting of one or more checks—it is impossible to tell from the deposit slip—totaling \$50.00.

A deposit of May 13, 1965, currency in the amount of \$62.00, and a deposit on June 1, 1965, three checks, each in the amount of \$25.00.

According to the bank records, the check in the amount of \$57.00 which was deposited on May 3, 1965, bounced for insufficient funds.

I hand you again this check, Mr. Mars (Grady Mars Exhibit No. 3), and ask you if this \$100.00 which you received from the Harnett County Improvement Association is the item contained on the initial deposit of April 26 from Dunn marked \$100?

Mr. MARS. I respectfully decline to answer that question based on the grounds previously stated.

(Bank records marked "Grady Mars Exhibit No. 5" and retained in committee files.)

Mr. APPELL. Mr. Chairman, the bank records show, and these records are in the process of being filmed so that we will have the actual item for the record, that as far as withdrawals from this account there were only two. One was a check dated May 3, 1965, which appears to have been made payable to "Wachovia Bank & Trust," signed

by Grady B. Mars, with a notation thereon "90 day note, Lonnie R. Mills, Rt. 2, Vanceboro, N.C." (James Jones Exhibit No. 28, p. 1766.)

There was no other withdrawal from that account until September 9, 1965, when a check was drawn by Mr. Grady B. Mars, and, as the notation from the bank shows, a cashier's check was drawn in the amount of \$328.16, and the purpose for which the check was drawn was to close out the account.

The CHAIRMAN. Mr. Mars, here is an opportunity to explain all that. We have no tricks up our sleeves. Did all that money go to Mills?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. On the face of it all, it looks like at least—how much?

Mr. APPELL. \$260, Mr. Chairman.

The CHAIRMAN. At least one check for \$260 drawn against that account appears, instead of having been given to Mr. Mills for his defense, to have been given to him in exchange for his note.

It looks very bad, unless you explain it. Can you explain that?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, Lonnie R. Mills is not the defendant but a relative of the defendant.

The CHAIRMAN. The Mills indicated there is not the defendant?

Mr. APPELL. He is a relative of the defendant, Mr. Chairman.

Mr. WELTNER. The defendant's name is Raymond D. Mills.

The CHAIRMAN. That seems to make it worse.

Go on.

Mr. APPELL. Mr. Mars, by September 5, 1965, Mr. Mills had changed his original not guilty plea to guilty, and had been sentenced by the court. Was the \$328 which, according to the bank records, a cashier's check was drawn for, was that \$328 refunded to the Klaverns that had advanced the money?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. What disposition was made of the \$328.16?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Mr. Mars, I think you better assume we will find out the whole truth about this thing. Here is another opportunity for you to explain, if you want to. Do you want to avail yourself of my new offer for you to explain these transactions?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. According to a joint bank account maintained in the names of Grady B. and Mary J. Mars, maintained by The Citizens Bank of Warrenton, North Carolina, we find that on May 8, 1964, a

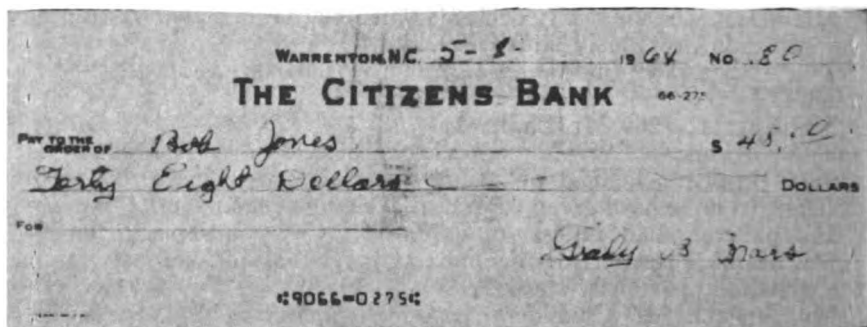
check was drawn against this private account to Bob Jones in the amount of \$48.00.

Will you advise the committee as to the purpose for which that check was drawn?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Grady Mars Exhibit No. 6" follows:)

GRADY MARS EXHIBIT NO. 6



Mr. APPELL. On June 5, 1964, a check was made payable to James R. Jones for \$16.00. Would you advise the committee the purpose for which that check was drawn?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Grady Mars Exhibit No. 7" and retained in committee files.)

The CHAIRMAN. Mr. Appell, I take it from your analysis of the deposits made in the account, before we move away from it, the account furnished to us by the bank is not in such a shape that you can identify the checks that went into it, and that is why you questioned him about these checks payable to him and simply endorsed? There is no way of checking where the checks that went into that account came from and who deposited them; is that correct?

Mr. APPELL. That is right, Mr. Chairman. We do not have the information.

The CHAIRMAN. All right.

Mr. APPELL. On August 25 there was a check written to James R. Jones in the amount of \$16.00. For what purpose was that check drawn?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

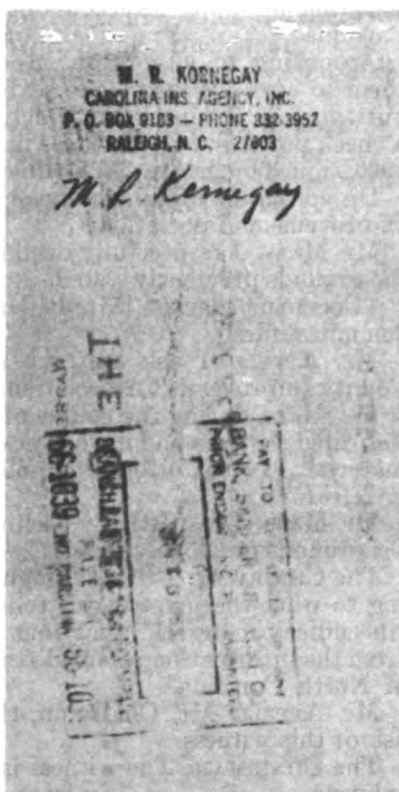
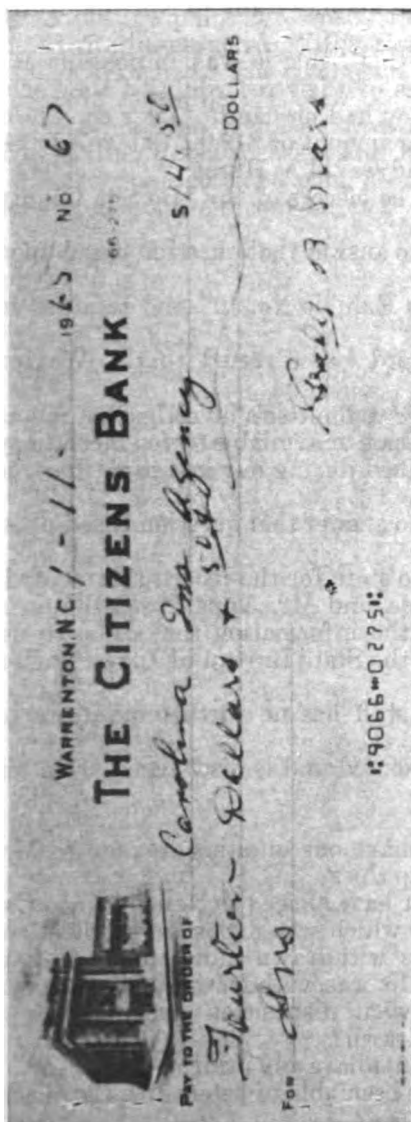
(Check marked "Grady Mars Exhibit No. 8" and retained in committee files.)

Mr. APPELL. On January 11, 1965, there was a check payable to Carolina Insurance Agency in the amount of \$14.50. Did you take out an insurance policy under the affiliated group of the Capital City Restoration Association?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Grady Mars Exhibit No. 9" follows:)

GRADY MARS EXHIBIT NO. 9



Mr. APPELL. Mr. Mars, were you, prior to becoming a paid employee of the Realm of North Carolina, the exalted cyclops of a Klavern known as the Warren County Improvement Association?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the Warren County Improvement Association maintains its account at The Peoples Bank in Norlina, North Carolina.

According to vice president of this bank it was impossible for them to even look, to make searches of their records, and they submitted us only those items which they had on hand. They consist of a check payable to J. R. Jones in the amount of \$12.00, dated July 24, 1965, signed by Andrew F. Collins and David A. Hight.

Do you know those gentlemen to be officers of the Harnett County Improvement Association?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Grady Mars Exhibit No. 10" and retained in committee files.)

Mr. APPELL. I ask that the record be corrected to the Warren County Improvement Association.

Mr. Mars, during the course of the committee's investigation it was indicated that you had in your possession or available to you incendiary material. Is this information obtained during our investigation true or false?

Mr. MARS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. I think I ought to state for the record that according to what the investigator tells me, and Mr. Appell used the term "incendiary material," that that is the information that came to us, from the information received from the State Bureau of Investigation of North Carolina.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused and is discharged from his subpoena.

Mr. CHALMERS. Thank you.

Mr. WELTNER. Mr. Chairman, I have one question to pose to Mr. Appell, if I might, to somewhat recap this.

Mr. Appell, as I understand, you have placed documents into the record indicating a total of \$588.16 which was deposited in the New Bern account, and \$260 of that was withdrawn indicating a 90-day loan to Lonnie R. Mills, and \$328.16 was withdrawn in September 1965. We have no indication of what disposition was made of a cashier's check when that was withdrawn?

Mr. APPELL. As of this time we do not have any information.

Mr. WELTNER. So far as you have been able to determine, the check is still outstanding?

Mr. APPELL. No, sir; the check drawn against the account was used to purchase the cashier's check.

Mr. WELTNER. Is the cashier's check still outstanding?

Mr. APPELL. We do not possess the knowledge. We have requested the information but it is not forthcoming as yet, sir.

Mr. WELTNER. Thank you.

The CHAIRMAN. The committee will stand in recess for 5 minutes.

(Whereupon, at 4:30 p.m. the subcommittee recessed and reconvened at 4:35 p.m. Present at time of recess and when hearings resumed: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The committee will stand in recess until 10 o'clock tomorrow morning.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 4:35 p.m., Monday, October 25, 1965, the subcommittee recessed. to reconvene at 10 a.m., Tuesday, October 26, 1965.)



**ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS
IN THE UNITED STATES
PART 2**

**HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-NINTH CONGRESS
FIRST SESSION**

**OCTOBER 26-28, AND NOVEMBER 1-4 AND 9, 1965
(INDEX IN SEPARATE VOLUME)**

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 89TH CONGRESS

House Resolution 8, January 4, 1965

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(r) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

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* * * * *

27. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

v

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 2

TUESDAY, OCTOBER 26, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Ashbrook.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

The Chair wishes to make this statement:

Yesterday, Mr. Robert Shelton held a press conference during which he made certain statements about the committee's chief investigator, Mr. Appell. I advised Mr. Appell that, personally, I would not dignify these statements with a reply. He, however, so resented the charges that he asked to be permitted to refute them under oath, and as a single member talking to him, I did not wish to deny him that without further reflection.

The committee met this morning, reviewed the pertinent sections of Mr. Shelton's interrogation, expressed its confidence in the fairness with which Mr. Appell had interrogated Mr. Shelton, and decided that Mr. Shelton's statement was obviously designed to divert attention from the facts about his Klan organization developed by the committee and that it should not be dignified by the taking of testimony in answer to it.

An examination of the hearing record reveals, for example, that the charge that Mr. Appell tried to make it appear that Mr. Shelton's diamond ring had been paid for with Alabama Rescue Service funds

is completely false. Mr. Appell simply asked Mr. Shelton what certain checks made payable to Lorch's Diamond Shop were for, and when Mr. Manuel was on the stand and introduced checks payable to Lorch's Diamond Shop in the sum of \$469.92, he was asked by a member if he had any information on what these were in payment for, and whether they might be for Mr. Shelton's diamond ring.

Mr. Manuel replied under oath "No, sir."

Those are the exact words from the public record of the interrogation. The transcript of that interrogation is available in the committee's office, Room 226, for any member of the press—or anyone else—to examine if they so desire.

I will mention just one other statement made by Mr. Shelton. He claimed that on the evening of his appearance before the committee, he was in a dining room of the Congressional Hotel when Mr. Appell spoke to him, offered him "a half-hearted apology" for the manner in which he had been treated, and then said to him, "We know that you are clean and have not been taking Klan money or failing to report your income."

Mr. Appell has informed the committee that he has never made any such statement to Mr. Shelton, either in the dining room of the Congressional Hotel or anywhere else.

The committee has complete confidence in Mr. Appell's statement.

As far as the other charges made by Mr. Shelton are concerned, I repeat that this interrogation is a matter of public record and that the record is available for inspection by anyone in the committee office. That record refutes his allegations.

In my opening statement I pointed out that this was a legislative inquiry. If the Invisible Empires of the Klans did not try to keep their activities secret and their operations were generally known, there would be no need for this inquiry. Shelton was given a chance to answer many questions about the matters he raised yesterday and about the United Klans of America. He refused, invoking the fifth amendment.

I have nothing further to say on this subject except that, in due time, Mr. Shelton will have another opportunity to explain, under oath, these and other facets of his activities.

Proceed, Mr. Appell.

Mr. APPELL. Mr. Chairman, I would like to call as the first witness Marion W. Millis.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MILLIS. I do.

TESTIMONY OF MARION W. MILLIS

Mr. APPELL. Would you state your full name for the record, please, sir?

Mr. MILLIS. Marion W. Millis.

Mr. APPELL. When and where were you born, sir?

Mr. MILLIS. I was born November 26, 1915, in Wilmington, North Carolina.

Mr. APPELL. Would you briefly outline for the committee your educational background?

The CHAIRMAN. Ask if he is represented by counsel.

Mr. APPELL. I am sorry.

Are you represented by counsel?

Mr. MILLIS. No, sir.

The CHAIRMAN. Do you desire counsel?

Mr. MILLIS. No, sir.

The CHAIRMAN. That is just for the record.

Mr. MILLIS. Yes, sir.

Mr. APPELL. Would you state your educational background, please, sir?

Mr. MILLIS. Tenth grade.

Mr. APPELL. Would you state your employment background?

Mr. MILLIS. I have been in law enforcement almost 25 years. I served on the city police, Wilmington City Police Department, for almost 10.

The CHAIRMAN. What town?

Mr. MILLIS. Wilmington, North Carolina. I came on the sheriff's department, and came back as deputy and then chief deputy. I ran for sheriff 7 years ago against nine opponents. I was elected the first day.

Mr. APPELL. Are you currently sheriff?

Mr. MILLIS. Yes, sir.

Mr. APPELL. What is your jurisdiction as sheriff?

Mr. MILLIS. To maintain law and order in the county.

Mr. APPELL. The geographical.

Mr. MILLIS. The chief officer of the county.

Mr. APPELL. The geographical boundaries of what county?

Mr. MILLIS. New Hanover.

Mr. APPELL. Sheriff Millis, there appeared in the *Wilmington Morning Star* of September 1, 1964, a statement issued by the North Carolina State Bureau of Investigation to the effect that New Hanover County is the home of one of North Carolina's most powerful Ku Klux Klan organizations. As sheriff of New Hanover County, what knowledge do you possess of the extent of Ku Klux Klan activities within your county?

Mr. MILLIS. At this time with reference to the membership, amount, and so forth?

(Document marked "Marion Millis Exhibit No. 1" appears on p. 1964.)

Mr. APPELL. Pick it up at whatever time you desire, sir, in order to give the committee the benefit of your knowledge.

Mr. MILLIS. A couple of years ago I heard rumors there was Klan meetings in various places in the city. I was unable to pinpoint anything. One day Mr. Joe Johnson, he is a deputy of mine, called me and said they were going to have a Klan meeting in the union hall on 4th Street. He said he wanted to go and see what it was all about.

I first told him I didn't think it would be a good idea to go. He said, "Well, we may be able to get some inside information."

I said, "Well, we will get a few of us and we will go up and see what we can find out. We will look on."

MARION MILLIS EXHIBIT No. 1

WILMINGTON MORNING STAR - 9/1/64

New Hanover Klan One Of Strongest: SBI

By ARNOLD KIRK
Staff Writer

New Hanover County is the home of one of North Carolina's most powerful Ku Klux Klan organizations, the State Bureau of Investigation (SBI) revealed Monday.

An SBI spokesman said the local Klan unit is the largest in Southeastern North Carolina and among the state's top four KKK klaverns.

Resident Agent William S. Hunt believes the New Hanover County klavern has a membership of more than 250, including some members in nearby Brunswick County. It meets regularly, although surveillance by state and local law enforcement agencies has forced the Klan to periodically change its meeting place.

Unlike most other Klan units, the SBI agent revealed, the local unit boasts of members from nearly all walks of the county's business and civic life. He said respected businessmen and professional people are reportedly supporting the Klan, financially and otherwise.

But despite its many members who are considered as being "respected" in the community, Hunt continued, the majority of those who claim membership in the local Klan may be classified as "rabble-rousers and poorly-educated whites who have turned to the Klan in hopes of maintaining some degree of authority over their darker brethren."

The rebirth of the Ku Klux Klan in New Hanover County began late last fall, the agent remarked, and has mushroomed only recently into one of North Carolina's largest and most influential klaverns. Its early meetings were open to the public, but owing mainly to publicity adverse to the Klan's cause, newsmen and other spectators have been barred from the most recent meetings.

Thursday night in a small, ramshackle building just off U. S. Highway 17 northeast of Wilmington.

Topics of discussion of local Klan meetings, according to Hunt, touch on a wide variety of subjects ranging from national politics to local issues. But the discussions always are centered around the Klan's traditional topic — segregation and white supremacy, the agent said.

Some Klan meetings are in the form of "ladies night" affairs and outings that cater to the children of Klansmen. Hunt said he has been informed that the local unit has developed to such an extent as to have a ladies' auxiliary or similar organization composed of Klansmen's wives.

As in most of the other 51 North Carolina counties with active Klan organizations, Hunt explained, the local unit has adopted a secondary name under which it operates in matters requiring a more civil appeal. In such cases here, the Klan is known as the New Hanover County Development Association," the agent revealed.

Several members of the "association" attended a July 20 meeting of the County School Board at which school desegregation was discussed.

Klansmen in Brunswick County have organized under the name of "Supply Improvement Association," Hunt said, and the KKK in Pender County prefers to be known as the "Pender County Improvement Association."

Insofar as the law is concerned, the Ku Klux Klan is entirely legal. Regulations governing its operation, however, have deprived the Klan of much of the freedom it once enjoyed through secrecy.

According to the SBI, Klansmen must not wear hoods over their faces, although they are

activities, the law declares that it is illegal to burn a cross, or even display a photograph of a burning cross, if such an act is intended to intimidate a person.

Although the Klan in New Hanover County has reached a high level of membership, Hunt continued, its activities have been all but nil. He said the SBI is "reasonably assured" the KKK was responsible for a cross burned earlier this summer on the courthouse lawn, but it lacked sufficient evidence to assure conviction.

Reports that some members of the local Klan carry firearms also have been added to the SBI's growing portfolio of the New Hanover County klavern.

Klan activities here, as well as elsewhere throughout the state, are being closely watched by the SBI and local law enforcement agencies. And although the local Klan has taken extraordinary precautions to keep the names of its members a secret, the SBI has what it believes is a "fairly accurate" membership list.

Persons who regularly attend KKK meetings would be subject to immediate examination should the Klan violate the law in New Hanover County, the SBI agent warned.

The state agency, in addition to local officers, will be particularly scrutinous of the Klan this fall when New Hanover County schools lower their racial barriers.

As for the future, the Ku Klux Klan in New Hanover County is destined to one of two fates, in the opinion of the State Bureau of Investigation:

"Klan activities will either die down as a result of the recent Civil Rights bill," Hunt predicted, "or it could mushroom into a more powerful organization. We will just have to wait and see what will happen."

We did. We got up there, and Mr. Bob Jones, he was in the union hall. I would say there was between 50 and 60 people there in the union hall.

Mr. APPELL. May I interrupt you here, sir, and ask approximately when this was?

Mr. MILLIS. No, sir; I don't have the date. I could get the date back home, but I don't have it.

Mr. APPELL. Would this be 1963?

Mr. MILLIS. I think so.

Mr. APPELL. This union hall to which you are referring, where was it located?

Mr. MILLIS. Fourth and Castle Streets in Wilmington, North Carolina, on the corner, an upstairs room.

(At this point Representative Buchanan entered the hearing room.)

Mr. APPELL. Do you know what union had jurisdiction over this hall?

Mr. MILLIS. I think a carpenters' union is one, as far as I know.

Mr. APPELL. This was an AFL-CIO union?

Mr. MILLIS. Yes, sir; I think so. They used the hall—different ones at different times.

Mr. APPELL. Will you describe to the committee the scene of this meeting at the time you and Mr. Johnson and, I think you said, one or two others—

Mr. MILLIS. I can give you the names of the deputies. I believe you talked to me yesterday.

Mr. Joseph E. Johnson, Charles D. Goodwin—they were there. Mike McDonald.

The CHAIRMAN. When you say "they were there," you mean they were there before you got there?

Mr. MILLIS. Yes, sir.

Mr. APPELL. If I might interrupt you, Sheriff Millis, the reporter will not be able to get these names as you read them unless you will pronounce them slowly and in some cases give us the spellings, sir.

Mr. MILLIS. The first one is Joseph E. Johnson.

Mr. APPELL. J-o-h-n-s-o-n?

Mr. MILLIS. J-o-s-e-p-h J-o-h-n-s-o-n.

Charles, C-h-a-r-l-e-s D. G-o-o-d-w-i-n.

Mike McDonald.

Shelby Russ.

R. A. Jarrell.

O. F. Waters.

I don't think you had Mike McDonald on your original list. You did have Mr. Blandon, but he was not there. You had Mr. Bridges, but he was not at the meeting.

Mr. APPELL. You mentioned that it was brought to your attention that there was going to be this Klan meeting at the union hall.

Mr. MILLIS. Yes, sir.

Mr. APPELL. And that you ought to go over and get some knowledge about it?

Mr. MILLIS. Yes, sir; that is correct.

Mr. APPELL. At the time you arrived, was the meeting in progress?

Mr. MILLIS. No, sir; most of them were in the hall, but they hadn't opened up.

Mr. APPELL. They hadn't started?

Mr. MILLIS. They hadn't started.

Mr. APPELL. Will you take it from there and describe what happened that evening as far as you observed?

Mr. MILLIS. Yes, sir. Mr. Jones had another man with him. I don't remember his name. I hadn't seen him before or since. Mr. Jones started talking about the Klan. He said it was the United Klan of America. He said it was a legal organization. He said it had no marks against it whatsoever. He said it was a new Klan and they didn't tolerate any violence. He had a charter there and showed the charter.

The man that was with him went down to his car and got a robe, a green robe, and brought it back up. Mr. Jones showed it to the group and he put the robe on. Then the next person that had anything to say I believe was Colonel McClellan.

Mr. APPELL. Could you give us Colonel McClellan's full name?

Mr. MILLIS. It is Royce, R-o-y-c-e.

Mr. APPELL. Spell his last name, please.

Mr. MILLIS. I think it is M-c-C-l-e-l-l-a-n.

Mr. APPELL. Also being there was Colonel Royce McClellan. By this time, had the meeting started?

Mr. MILLIS. Yes, it had. Not the closed meeting. This was an open meeting. This part was completely open. He stood up and give his views on it, that he had checked into it and it was legal, the organization was, and as far as the charter was concerned, he thought it was in order. That is about all I recall him saying at that time.

I think there were some questions asked by various people in the audience. Then Mr. Jones stood up and said, "If anybody is here that don't want to join the organization, if you want to join you are welcome to, or you can leave."

One man spoke for a group and said, "If we don't join now, can we join later?" And he said, "Yes, you can." So a group there, I would say maybe 20 or 25, something like that, were there, and we began to look at one another, the deputies and so forth, and we decided to stay and see what happened in the meeting.

The door was closed, and this man with Mr. Jones stood by the door. Mr. Jones administered the oath. No deputies left. I was in there with these six deputies.

Mr. APPELL. You and the six deputies were still there when the oath was administered.

Mr. MILLIS. We were still there when the oath was administered. Some of them began to talk and wanted to know if they couldn't call it something else other than the Klan. So they decided to call it the New Hanover Improvement Association. That is where that name first started from, right there. They agreed. They said, "Well, in order to elect officers, I believe we will have to have the charter under that, in order to elect our officers officially."

It was just a tentative thing, just temporary, until they decided what to do. They asked me to be the treasurer, and I didn't say anything. I just told them I couldn't do it, that I just had to turn it down completely. A Mr. T. R. Watkins, they elected him as president of the organization.

Mr. APPELL. May I interrupt you there, sir, to ask whether it is Mr. Watkins senior or junior who was elected president?

Mr. MILLIS. This was junior.

Mr. APPELL. Can you give advice as to who was elected as the treasurer?

Mr. MILLIS. Mr. T. R. Watkins, Sr., the best I know. I wasn't there when he was elected, but I understood he did take the job as the treasurer.

Mr. APPELL. This charter that was displayed by Mr. Jones which was declared by Colonel McClellan to be a legal charter, was this a charter drawn in the name of the United Klans of America? Did it have that on the charter?

Mr. MILLIS. The best I recall, that was the words that was on it, "United Klans of America." I believe they said "incorporated." I am not sure about that last.

The CHAIRMAN. A little louder.

Mr. MILLIS. I believe it said "United Klans of America, Inc.," but I am not sure about the "incorporated." It was mentioned, anyway.

Mr. APPELL. Did you happen to observe on this charter whether it had been executed to show that a charter had been issued to a group in New Hanover County, given some numerical designation?

Mr. MILLIS. No, sir; there was nothing pertaining to New Hanover County about it. That is when they give it the name New Hanover Improvement Association, and then they were going to have a charter drawn.

Mr. APPELL. Did you happen to note the number designation of the group, even though the name might not have been there?

Mr. MILLIS. On the charter?

Mr. APPELL. Yes.

Mr. MILLIS. No, sir; I don't recall that. There was quite a bit of reading. They read it at the meeting, but I don't recall it.

Mr. APPELL. Sheriff, I hand you a series of oaths. This is not in the same format that is used, but this was reprinted by us in order to have a quantity. I ask you to examine these and see if these are the series of oaths which were taken by the men that night.

Mr. MILLIS. The best I can recall, it seems to be. I couldn't say about every word, but it is something of that order.

(Document previously marked "Robert Shelton Exhibit No. 4.")

The CHAIRMAN. It is substantially the oath?

Mr. MILLIS. It appears to be. I have never read it before, but I heard the best I could when he was mentioning it.

Mr. APPELL. Sheriff, I would also ask you to look at pages 2 and 3.

Mr. MILLIS. That sounds like it.

Mr. APPELL. Did you also look at page 3, sir?

Mr. MILLIS. I believe that is it. It seems to be, the best I can recall. I believe that is as near as I can recall.

Mr. APPELL. This series of oaths that you believe, without being able to remember the verbatim contents of them, was the series of oaths which you subscribed to?

Mr. MILLIS. Yes, sir.

The CHAIRMAN. About how many others took it?

Mr. MILLIS. How many were in the room at that time?

The CHAIRMAN. Yes.

Mr. MILLIS. Approximately 35.

Mr. APPELL. I would like to ask you whether there remained in the room and also subscribed to this series of oaths the men from your department who you named were there, namely, Joe E. Johnson——

Mr. MILLIS. He was there; yes, sir.

Mr. APPELL. Charles D. Goodwin——

Mr. MILLIS. That is right.

Mr. APPELL. Mike McDonald——

Mr. MILLIS. Yes, sir.

Mr. APPELL. Shelby Russ——

Mr. MILLIS. Yes, sir.

Mr. APPELL. And R. A. Jarrell.

Mr. MILLIS. That is correct. And O. F. Waters.

Mr. APPELL. O. F. Waters?

Mr. MILLIS. Yes, sir.

Mr. APPELL. In addition to Mr. Watkins, Jr., who became president, and Mr. Watkins, Sr., who became treasurer, what other men were elected to office within this Klan group which became known as the New Hanover County Improvement Association?

Mr. MILLIS. A man by the name of Skinner. I don't know his initials. I never have known his initials. He runs a barbecue place in New Hanover County.

Mr. APPELL. What is Mr. Skinner's——

Mr. MILLIS. He was the vice president, I think. He was the vice president.

Mr. APPELL. Are you familiar with the positions in Klan terms? The vice president is known as the klaliff.

Mr. MILLIS. I have heard them, but I don't know just how they would come in order.

Mr. APPELL. Did you know him——Mr. Skinner——to later become the exalted cyclops of the unit, or the president?

Mr. MILLIS. Mr. Skinner?

Mr. APPELL. Yes.

Mr. MILLIS. No, sir.

Mr. APPELL. Can you recall others?

Mr. MILLIS. If you want me to, I can tell you what happened from this meeting on.

Mr. APPELL. Please do, in your own way, Sheriff.

Mr. MILLIS. After this meeting was over, the next day one of the men was in the union hall, he was not in the meeting but on the outside, in a small office as you leave the door, and he came to me and said someone had notified the union that he had allowed the meeting to be held in the union hall, which is against their rules, and said he was about to lose his job.

Mr. APPELL. Was that Mr. Florio?

Mr. MILLIS. I don't know. There were two gentlemen there. One of them had glasses on. This was a large man, gray headed, with a little scar somewhere on his face.

I asked him who rented the building and he said a painter. I believe this man he was talking about would be Raymond Chadwick.

Mr. APPELL. Is that Raymond or Warren?

Mr. MILLIS. Warren Chadwick came later.

Mr. APPELL. Raymond Chadwick?

Mr. MILLIS. Raymond Chadwick.

Mr. APPELL. Please continue.

Mr. MILLIS. It appeared then that they wouldn't be able to meet there any more, from my conversation with him. A couple of weeks later I heard they would meet at the Elberg Motel. They had a meeting hall there. They said Mr. Shelton would be there. In fact, we found out 2 days before that he was supposed to be there.

I went out there and everybody was milling around the room. I stayed a period of time and I left. I seen Mr. Shelton there. I didn't meet him; I didn't speak to him. What happened at that meeting, I don't know. I heard Mr. Watkins that night, and this was supposed to have been the second meeting, said he had sickness in his family and did not want to be in charge of the group; that he would like to resign. That is the information that came to me.

Then for some time, the information kept coming back to me that he was able to have a meeting, and the deputies would come to me and report to me what was going on. After then the best I can recall, was a man who worked at Sears, Roebuck Company. I don't think he kept it over a night, the best I can recall. Then there was Mr. C. R. Williams. I understand he had it a night or two, just temporary. It wasn't a permanent thing.

Mr. APPELL. We are talking about the presidents succeeding Mr. Watkins, Jr.?

Mr. MILLIS. That is true. The next I understand was a Mr. Burnett.

Mr. APPELL. Is that B-u-r-n-e-y?

Mr. MILLIS. B-u-r-n-e-t-t. I don't know his first name. I know the man when I see him. I think he was involved in some union activity. I heard he had been.

The next time I heard anything about anyone taking over, it was Warren Chadwick.

Mr. APPELL. You mentioned earlier Raymond Chadwick. What is the relationship, if any?

Mr. MILLIS. Raymond Chadwick, I understand that he didn't want him in. At the second meeting they told him they didn't want him in the organization.

Mr. APPELL. But I asked you what is the relationship between Raymond Chadwick and Warren Chadwick.

Mr. MILLIS. I don't think there is any that I know of. I don't think there is any.

Going back to the first meeting, I understand Mr. Skinner didn't attend any more. That was the last meeting he went to. Then Warren Chadwick, I received information that he had become president.

Mr. R. A. Jarrell, he was, that night, the first night, elected the chaplain. He came to me a few days later and said he would rather have somebody else to take his place, and just go ahead and leave us.

The CHAIRMAN. A little louder, please.

Mr. MILLIS. I said, "Well, eventually, that is what I want all of you to do, as soon as we find out everything we can; see that there is no violence or anything. I want everybody to pull out completely."

I think Mr. Jarrell attended two or three meetings. I think he missed the first meeting and the next two I think he attended.

I think not too long after then they had a rally. I believe it was just maybe a couple of months that they had a rally on the Market Street Road. That would be Highway 17 north of Wilmington, North Carolina.

The highway patrol called me and I talked to them about it and discussed having men there, and we were concerned about the yards and driveways and so forth, that someone may be parking in. Some of the deputies went inside the grounds. The general public was invited, people from all walks of life being there. Some officials of the county were there just observing the meeting.

I would say there was 1,500 to 2,000 people there in the cars. Some were in cars that didn't get out. Some men were over on the hill and you could see them who had on some robes. They did some talking. Mr. Shelton did some talking. After a while they began to play "The Old Rugged Cross" and they came down and one man came forward and ignited it.

The CHAIRMAN. Ignited the cross?

Mr. MILLIS. Ignited the cross; yes, sir. And they threw torches at the base of it. That was a public display.

Mr. APPELL. Did you attend this meeting?

Mr. MILLIS. Yes, sir; I went to that meeting to observe, with the other officers that were present, including the highway patrol.

Mr. APPELL. I have two circulars, one announcing that there will be a public rally on May 2, 1964, 6 miles north of Wilmington, North Carolina, 6 miles north on U.S. 17. The second one, the rally of June 12, 4 miles north of Wilmington in the Green Meadows section. Which of these are you referring to, sir?

Mr. MILLIS. The earliest one.

Mr. APPELL. May 2, 1964?

Mr. MILLIS. Yes, sir.

(Documents marked "Marion Millis Exhibits Nos. 2-A and 2-B," respectively, and retained in committee files.)

Mr. MILLIS. Shall I proceed?

Mr. APPELL. Yes, sir.

Mr. MILLIS. The meeting was over, and we worked traffic along with the highway patrol, and then Mr. Jones, I heard him on the loud-speaker, and he said he wanted to thank the highway patrol for helping with the traffic.

I called the officer that night on the desk to see if there had been any complaints and he said there had not been any. The next morning I told the man to keep his ears open on the desk in case he got any kind of complaints, that I wanted to know it, and we received no complaints at all.

After they had some kind of dispute about the Elberg Motel meeting, they rented it to another group, I believe it was; from my information on the inside, they rented it to another group that the Klan wouldn't have a meeting there, so they dropped that location and went to Second Street in Wilmington between Market and Princess Street, right in the downtown section, upstairs in the hall.

Civic organizations met up there, and I understand they gave the organization a night a week there, every Thursday night. Some of

these deputies, maybe two or three at a time, would attend the meetings. I think it was two meetings that was attended by deputies there on Second Street.

They came back—one of them was an open meeting and one was a closed meeting—and they told me that they showed a film, a color film, on Communists. And one night they said the place was full of people; more women than there were men. The public was invited that night.

I told them, I said, "Let me tell you, rumors are getting out that we are participating in this organization. We went in there for the purpose of trying to obtain information to see if it was a nonviolent organization. We haven't seen any. I think it is time to go ahead and notify them, all of you, and get your names off the lists."

So they did. They all withdrew at that time.

Mr. APPELL. What time is this, sir?

Mr. MILLIS. I don't remember the date. It may have been—it was right after the rally, the first rally. They went on Second Street and had a couple of meetings. It must have been about 3 weeks or 4 weeks after this rally.

The CHAIRMAN. In other words, they resigned?

Mr. MILLIS. Yes, sir. I told them I wanted them all to go ahead and take their names off of it and just leave it alone. We would just try to get the information the best way we can.

Mr. APPELL. I gather what you are saying is that you and your men joined for intelligence purposes.

Mr. MILLIS. That was the reason to begin with. I think some of them did begin to kind of get enthused a little bit. That is why I told them to—

The CHAIRMAN. You are very frank, Sheriff.

Mr. MILLIS. The rumors began to start and that is when I told them, "Now is the time to go ahead and forget about it and leave it alone," and they said, "We are told it is a nonviolent organization. It is a legal organization," and I said, "Yes, but I want you to forget about it. Get out of it and we will just have to observe it the best way we can."

Mr. APPELL. Sheriff, the committee obtained from the secretary of state's office a charter for the New Hanover County Improvement Association, Inc., as distinguished from the official Klan charter that you saw. This one is signed June 3, 1964. The officers are indicated as Warren Chadwick, James H. McLamb, and Carey Strickland.

I show you this and ask you if you knew those three to be members of the Klan group known as the New Hanover County Improvement Association.

(Document handed to witness.)

Mr. MILLIS. The information I received from the deputy inside was that Mr. Chadwick was in charge of the New Hanover County Improvement Association, which was the Klan unit. Mr. James McLamb, I didn't know him only by sight before, and heard that he was in the organization, but later had withdrew. And Carey Strickland, I don't know him. He is one I don't know. I thought I would.

Mr. Warren Chadwick I have seen twice after I found out he had taken the position of president of the organization. He became an inspector with the health department. He came into the sheriff's office a couple of times. That is the two or three times I seen him.

(Document previously marked "Richard Constantineau Exhibit No. 2.")

(At this point Mr. Pool left the hearing room.)

Mr. APPELL. Sheriff Millis, you are here this morning in accordance with a subpoena served upon you by the staff of the committee; are you not?

Mr. MILLIS. Yes, sir.

Mr. APPELL. This subpoena, which contains an attachment made a part of the subpoena, commanded you to bring with you and to produce before said committee:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, New Hanover Improvement Association, New Hanover Improvement League, Realm (state) of North Carolina, in your possession, custody or control, or maintained by you or available to you as member or officer of New Hanover Improvement Association, New Hanover Improvement League, Realm (state) of North Carolina, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Did you bring any documents that would fall within this description, sir?

Mr. MILLIS. No, sir; I have never had any in my possession.

Mr. APPELL. Did you have in your possession reports made by yourself and your men which related to the New Hanover Improvement Association?

Mr. MILLIS. The only thing we have had is we have had cross-burnings—

Mr. APPELL. I would like to interrupt you, sir. I would assume from what you have told us that your men who were in the Klan for information purposes filed reports which are a part of your office on what transpired at each of these meetings that they attended in an undercover capacity.

(At this point Mr. Pool returned to the hearing room.)

Mr. MILLIS. No, sir; not written reports. They were oral reports only.

Mr. APPELL. Do you mean the files of your office contain no reports in a documented form on what went on at these meetings?

Mr. MILLIS. No, sir; they didn't have anything in writing. The main thing was to observe and see if anything was fixing to happen as far as any disorder was concerned.

Mr. APPELL. Sheriff Millis, according to the return on the back of this subpoena, this subpoena was served upon you at 11 o'clock a.m. on the 15th day of October 1965 by Mr. Raymond McConnon, a member of the investigative staff of this committee.

Mr. MILLIS. Yes, sir.

Mr. APPELL. In the course of serving this subpoena, did Mr. McConnon discuss with you your affiliations with the Ku Klux Klan?

Mr. MILLIS. The only thing that was said, other than the piece about bringing the documents that I would have as a member, was I told him I didn't have any. There wasn't very much said. He didn't question me much about that part, as I recall.

Mr. APPELL. Mr. McConnon—

Mr. MILLIS. He asked me about Colonel McClellan, for one, and C. D. Goodwin, he asked me about him.

Mr. APPELL. Mr. McConnon reports in a memorandum to the office: Subject, referring to yourself, denies any membership in the Ku Klux Klan, either past or present. He says that he has never made application for membership in the Klan, and claims no knowledge of any of his deputies, such as Woody Goodwin—and that is Charles D. Goodwin, who is popularly known as “Woody”——

Mr. MILLIS. That is right.

Mr. APPELL. — or Rudy, who you described in the record as R. A. Jarrell, Rudolph Jarrell, having any connection with the Klan.

Mr. MILLIS. I told him that I wasn't a member and I told him that none of the deputies was. That was the conversation that we had. He didn't go back to any beginning or anything like that; that is, not that I recall. I don't recall him saying anything. I denied the membership, and he said, “Well, I heard you are in it and some of the deputies,” and I said, “No, sir; not members of it.”

Mr. APPELL. Yesterday at noontime you were interviewed by Mr. Manuel on my right, and myself.

Mr. MILLIS. That is right.

Mr. APPELL. You told us at that time that you could not understand why the subpoena was served upon you; that you had never been a member of the New Hanover County Improvement Association.

Mr. MILLIS. The best I can remember is you asked me—well, I read this to you, I believe. You asked me about the records and I said “I am not a member.” I don't know everything that was said. I was a little confused when you were asking me questions.

One time you asked about the Klans and then the New Hanover Improvement Association, and back one way and then the other one. For one thing, of course, I didn't want to reveal what we had tried to do from the law enforcement standpoint in trying to obtain information within the organization. Of course, this will do it. We will not be able to get any inside help, I am sure, after this. Anything done we will have to do the best we can from the outside.

Mr. APPELL. But I understood you to testify a moment or two ago that you ordered all your men to get out of the organization.

Mr. MILLIS. We did; yes, sir. I am talking about now.

The CHAIRMAN. You did say that two became enthusiastic and I didn't press you. Do you want to enlarge on that?

Mr. MILLIS. I think one did in particular, and one did some. I think one really was enthusiastic about it.

Mr. APPELL. When did you issue the orders for your men to get out of the Klan?

Mr. MILLIS. That was after they had attended about two meetings on Second Street. One was a closed meeting and one was an open meeting.

Mr. APPELL. This was prior——

Mr. MILLIS. That was sometime, maybe 3 or 4 weeks or so, after this first rally.

Mr. APPELL. The May 2nd rally?

Mr. MILLIS. Yes, sir.

Mr. APPELL. Did they all get out?

Mr. MILLIS. No, sir.

Mr. APPELL. Which ones stayed in?

Mr. MILLIS. I can relate the whole thing so you get a clear picture.

I thought that was clear all the way. Then it came out in the *Charlotte Observer* that some of the members of the sheriff's department of New Hanover County was members or even sympathizers. When that came out, a local news reporter came around to talk to me. He didn't write anything. He just asked me some questions.

He wanted to know—he didn't ask about myself; he asked me about the deputies. He wanted to know if any of them were members, and I said, "Not to my knowledge." He said, "Well, if a man was—if you found a man was in the organization, would you fire him, discharge him?" I told him, "We would have to look into it more, because there is civil rights and it may protect him. I don't know if it is a legal organization."

He went back and wrote a story and I read it, and said that I said that I never did have any deputies in the Klan or no other subversive organization. I didn't use the word "subversive." We hadn't been on subversive.

Further down it said he asked me the question would I fire a man if I found out that he was in the Klan, and he quoted me as saying that it may be discrimination in reverse. I didn't use that statement at all.

He came around the sheriff's office and interviewed some other people and I asked why did he write it, and he admitted then I didn't make that remark. Every newspaper article since then about that statement has been repeated from this same column.

Mr. APPELL. The question I asked you, sir, is the identity of your men who did not get out of the Klan when you ordered them to get out.

Mr. MILLIS. I wanted to get down to it, after this piece came out of the paper. I thought all of them had. Then Mr. Jarrell, a deputy sheriff, came in the office and said, "Sheriff, do you know anything about Charles Goodwin being elected to the State office?" I said "No. I thought all that was over." He said, "Well, apparently not, because I heard that they had elected him to the State office."

The CHAIRMAN. In the Klan?

Mr. MILLIS. In the Klan.

The CHAIRMAN. Do you remember that office?

Mr. MILLIS. I heard the word "organizer." I called Mr. Goodwin in and talked to him and he said he was in a meeting and they wanted to give him a State position, but that he didn't want it. I said, "Have you participated in the office at all?" and he told me he hadn't, the best I can recall.

I said, "Woody, I don't want you to go to any more meetings at all. I want you to leave it alone. That was my orders some time ago. I want you to get completely out of it."

I believe that was the last of any that I can recall.

Mr. APPELL. Now if we can fix this as to date—

Mr. MILLIS. The *Charlotte Observer* came out with that piece, and I think you have it there, and then the reporter talked to me. He made a piece for the paper. This was about 2 weeks later, 2 or 3 weeks, maybe more. I don't recall.

The CHAIRMAN. Two or three weeks after?

Mr. MILLIS. It could have been. I wouldn't say.

The CHAIRMAN. We don't expect you to know the exact dates, but relative to the paper.

Mr. MILLIS. After I found out he was still in it and everybody else had left, after the piece came out in the paper, some time after is when Mr. Jarrell came in and reported to me that he was still in the organization, and I called him in.

Mr. APPELL. Sheriff Millis, did you, and who I understand to be your chief deputy, Jarrell, ever approach anyone to join the Klan for the purpose of organizing the Klan in Brunswick County?

Mr. MILLIS. No, sir. I know what this is about. Mr. Charley Skipper was the deputy sheriff in Brunswick County, a little short fellow who always carries a snub camera in his car wherever he goes when he is working on a case. He had a right good knowledge about the boys he was having trouble with. We had a new deputy and we couldn't get any information because he didn't seem to know too much information about the people over there we were having trouble with.

So we talked to Mr. Skipper one day about these boys as he might have had trouble with them before. At the first meeting a group came from Brunswick County that was already in the act of organizing, to my understanding. They was in a meeting and were supposed to have went along with the unit in New Hanover County for a period of time. Then after everybody was out, and we didn't have the inside information we wanted, the chief deputy asked Mr. Skipper had they organized in Brunswick, because we had heard that this group had went back to Brunswick County and organized a unit.

He said, "No, but I wish they would." He made a remark that he had been down to a place before called Higman's Crossroads and talked to some people down there about organizing. He said the people down there were Klan-minded and he was going back again.

Later on, some time later, they had a rally in Brunswick County and I understand the sheriff was highly disturbed about it. Charley still hadn't gone back to work with the sheriff after the falling out they had. Then he found out how the sheriff felt about the Klan, and that is when he, I understand, told the sheriff over there that we had approached him on this, but he had not been approached at all, not in that fashion, but only to ask had they organized, because we was checking to see if the group from New Hanover County had gone back to Brunswick County.

Mr. APPELL. Deputy Sheriff Skipper, to whom you are referring, advised us that he was first approached by you and your chief deputy, Jarrell, when he was employed with the Smith-Douglas Fertilizer Company in the course of a social visit that he paid on your office some time prior to him ever becoming a deputy sheriff.

Mr. MILLIS. No, sir; I did not approach him on it.

Mr. APPELL. He advised us that after he became a deputy sheriff, that you again approached him.

Mr. MILLIS. No, sir. The question was had they organized, had anyone heard anything about an organization in Brunswick County.

Mr. APPELL. Sheriff, you have told us that following this May 1964 rally, that you ordered your men to resign. When did you resign?

Mr. MILLIS. At the first meeting on Fourth Street, and then part of the other meeting at the Elberg and that was the end of it right there.

Mr. APPELL. Did you give them a formal resignation or how did you consummate your resignation?

Mr. MILLIS. Not until I told the deputies to get everything off of the books, and to tell them that we could not mess with it, we had to leave it alone. That is when all of them was ordered out of the organization.

Mr. APPELL. I didn't understand what you said when you said you ordered your deputies to get everything off of the books.

Mr. MILLIS. To get the names off the books and resign and just completely out of it and don't take any part in it.

The CHAIRMAN. Do you mean off the books of the Klan?

Mr. MILLIS. Off the books of the Klan.

Mr. APPELL. Do you mean to remove any evidence from these books that you and your deputies had ever been members?

Mr. MILLIS. Well, I don't know just what kind of records they have. I suppose they have all kinds of records, I suppose.

Mr. APPELL. But were you attempting, by that order, to get any proof of formal membership removed from the books?

Mr. MILLIS. No, sir; no, sir. It wasn't that idea. It was in order to get out of the outfit completely. That was the intention, and I thought we had until this question came up about C. D. Goodwin.

Mr. APPELL. As a result of the membership of yourself and your deputies, whom else did you determine to be members of the New Hanover County Improvement Association which you have described as being the cover name for the Klan in the Wilmington area?

Mr. MILLIS. Who else that had become members?

Mr. APPELL. Whom else did you know as members?

Mr. MILLIS. Let's see now. I named C. L. Williams. Mr. Watkins had a man with him, but I don't know his name. I didn't get his name.

Mr. APPELL. How about A. B. Riggs?

Mr. MILLIS. Yes, sir; I had information that he belonged to it.

Mr. APPELL. How about Charles Brickhouse?

Mr. MILLIS. No, sir; I don't know him.

Mr. APPELL. How about Mr. Constantineau, who was a witness here yesterday?

Mr. MILLIS. I met him going out of the hall. He recognized me and spoke to me, but it is the first time I remember seeing him. I understand he had been a member.

Mr. APPELL. Did your deputy sheriff, Frank Waters, to your knowledge, ever become secretary of the unit?

Mr. MILLIS. Yes, sir. For a short period of time he was, to my understanding.

Mr. APPELL. Did your deputy, Frank Waters, use the facilities of your office for the purpose of collecting Klan dues?

Mr. MILLIS. Not to my knowledge, except one time a fellow came in there and was asking about it and I told him to get out of the sheriff's office. A man brought him in there. That is the only time I recall anything about it.

Mr. APPELL. Our investigation establishes that Frank Waters, during the period of time that he was secretary, maintained the Klan

books in the sheriff's safe and that he was observed on several occasions with this box described as a little gray box at the sheriff's counter and that he was discussing with people other than members of your department that which related to the cards contained in his box.

Mr. MILLIS. He may have. I wouldn't deny that because I don't know. He may have. I asked the chief deputy one time was he doing anything—I heard it during that time—and Jarrell said, "I'm afraid he is," and I said "Rudolph, if he is, I want him to go ahead and quit it and stop it right now."

This man Raymond Chadwick was there at the counter, and I walked in and seen him there and I heard him say something about the organization. I called Joe Johnson, and said, "Joe, let me tell you, I am not going to have that going on in the sheriff's office. Just go ahead and tell Chadwick to get out of here. You know him. Tell him what the score is. We are not going to have him in the sheriff's office."

Mr. APPELL. You have mentioned Warren Chadwick on several occasions as being the leader of the Klavern or the exalted cyclops. I show you a photograph and ask you if the first hooded or robed man that you see on the left is Warren Chadwick, to whom you are referring.

(Photograph handed to witness.)

Mr. MILLIS. I am pretty sure that is him.

Mr. APPELL. Do you happen to know who the red-robed man is?

Mr. MILLIS. No, sir; I don't. I can't tell.

Mr. APPELL. The gentleman in the suit, Mr. Chairman, is a reporter for the *Charlotte News* and [*Charlotte*] *Observer*.

(Photograph marked "Marion Millis Exhibit No. 3" appears on p. 1978.)

Mr. APPELL. Sheriff Millis, the description of your office by the *Charlotte News* and *Observer* was that approximately half of your 20-man force were either members of the Klan or Klan sympathizers. How factual is that, sir.

Mr. MILLIS. I would say according to this about four must have been.

Mr. APPELL. Sir?

Mr. MILLIS. There must have been about four at that time.

Mr. APPELL. About one-quarter rather than a half?

Mr. MILLIS. Yes, sir.

Mr. APPELL. What investigation have you made to determine whether or not the other members of your staff whose names I read to you yesterday during the interview were or were not at one time members of the Klan?

Mr. MILLIS. Mr. Blandon, I am pretty sure he has never been. I think somebody got something wrong there because I don't think he has ever been. I think Mr. Bridges later did for a short period of time. That is H. M. Bridges.

Mr. APPELL. H. M. Bridges?

Mr. MILLIS. H. M. Bridges.

Mr. APPELL. Did he attend as an ideological member of the Klan, or does he fall in this category that you described as undercover people?

Mr. MILLIS. No, sir; he went in—I think he wanted to get in was the reason he went in.



Photograph of United Klans of America parade in Salisbury, N.C., Aug. 8, 1964. Klansman (1) facing camera identified as Warren Chadwick of Wrightsville Beach, N.C.

Mr. APPELL. What is your best understanding as to when he got in?

Mr. MILLIS. The best I can recall, from the information I received, is it may have been maybe 3 weeks after the first meeting.

Mr. APPELL. How about your night chief deputy Whitman?

Mr. MILLIS. I don't recall. He may have been, but I don't recall him being one of the group. He may have. Right after then he had a heart attack and he was in a hospital for a number of months. If he was up there, he never went any more because he did have a heart attack. He may have; I am not denying that.

Mr. APPELL. In discussing the charter of the New Hanover County Improvement Association, the names that were on there, you spoke of Warren Chadwick and you spoke of James McLamb. You did not discuss Carey Strickland.

Mr. MILLIS. It is just like it is being in public office. You see a lot of people that may know you, and I may know him if I see him, but I can't recall him.

Mr. APPELL. He is a barber in Wilmington.

Mr. MILLIS. I don't know him.

Mr. APPELL. How about as a leader of that Klavern a man by the name of Biddle?

Mr. MILLIS. There is a "Red" Biddle, I think, that is connected with it. They call him "Red" Biddle. I can't recall his initials.

Mr. APPELL. He is popularly referred to as "Red" Biddle?

Mr. MILLIS. As "Red" Biddle.

Mr. APPELL. You do not know what his true name is?

Mr. MILLIS. I do not know. I know it is "Red" Biddle.

Mr. APPELL. Sheriff, I discussed with you yesterday during the interview as to whether or not there was being mailed to members of your department, or one member of your department, the official Klan newspaper, the *Fiery Cross*.

Mr. MILLIS. Yes, sir; you did.

Mr. APPELL. As I recall, you did not think that this happened, but that you handed out the possibility that it might have been, because a lot of things are mailed to your department.

Mr. MILLIS. Yes, sir; we do get stuff maybe every week or so. One period of time it come in right regularly. Somebody mailed me a paper one time called the *Thunderbolt*. I think that was the name of it.

Mr. APPELL. Did the publication of the *Fiery Cross* come to your deputies or come to yourself because of your membership in the Klan?

Mr. MILLIS. I never got a copy of the *Fiery Cross*. I understand that there was one there in the office. Who it was mailed to, I don't know.

Mr. APPELL. Our information is that it was mailed to your chief deputy, Rudolph Jarrell.

Mr. MILLIS. It may have been. I don't know if you have to subscribe for them or if you just get them as a member. I don't know.

Mr. APPELL. Sheriff, it was also our information that the original rent on the labor hall and the original negotiations were made by you.

Mr. MILLIS. No, sir; that is not true. The hall was rented and we had the information it was there. We went up there and it was opened by someone else. I understand this fellow Raymond Chadwick may have been one that rented the hall. Somebody gave him \$10 when they got ready to leave and they went over to tell the man what organization it was. Somebody else had to tell them. Somebody asked me if I had change for \$10 and I gave them two fives.

Mr. APPELL. If you joined that organization, are you saying you did not pay and the other men there did not pay the initiation fee?

Mr. MILLIS. Yes, sir; they did.

Mr. APPELL. Of \$10?

Mr. MILLIS. That is right.

(At this point Mr. Weltner left the hearing room.)

Mr. APPELL. Did you or your men buy robes?

Mr. MILLIS. Not that I know of. Goodwin did, I am pretty sure. I understand he did.

Mr. APPELL. But you did not?

Mr. MILLIS. No, sir?

Mr. APPELL. And did you give them a sum of money which was to be your monthly dues?

Mr. MILLIS. \$2 was paid with the initiation fee.

Mr. APPELL. So you gave them a total of \$12?

Mr. MILLIS. Yes, sir.

Mr. ASHBROOK. A total of what?

Mr. APPELL. \$12.

Sheriff Millis, there was a Klan rally on July 11, 1964, at Supply, North Carolina. This, I understand, is outside of your jurisdiction.

Mr. MILLIS. It is in the neighboring county, the adjoining county.

Mr. APPELL. Present at that meeting in civilian clothes was your deputy, Charles "Woody" Goodwin. I will ask you: Was he there?

Mr. MILLIS. I had information that he did go to the meeting. I believe it was on Saturday night. That Monday morning I called him in and asked him had he been over there, and he said yes, he had, and he admitted that he had drove over there with his wife in his car. He admitted it. I said, "It is best to stay away from it. It is not in our county."

Mr. APPELL. At that rally, this principal speaker, I assume he was the principal speaker, was the Imperial Wizard, Mr. Shelton.

Mr. MILLIS. I don't know who it was.

Mr. APPELL. It is the committee's investigative information that at that rally Mr. Shelton waved in the air for the audience to see a copy of a check payable to David W. Jones of 607 Nun Street, Wilmington, North Carolina. It is the committee's information that Jones had been arrested in Wilmington in 1963.

Mr. MILLIS. Yes, sir; he was arrested by the city police.

Mr. APPELL. And because they have no jail, he was turned over to your jail.

Mr. MILLIS. Yes.

Mr. APPELL. In his possession was a check in the amount of \$339.85 which would have come into your custody as the custodian of the prisoner. I would like to ask you how Imperial Wizard Shelton got a copy of that check in order to display. I hand you a copy of the check.

Mr. MILLIS. I don't know how he got a copy of it. From what I understand, a man brought one to the office and someone had gave him one on the street. It was a copy of it.

(Document marked "Marion Millis Exhibit No. 4" and retained in committee files.)

Mr. ASHBROOK. Speak up, please.

Mr. MILLIS. The first I heard of it a man brought me one into the sheriff's office and said a man on the street gave him one. But I don't know how Shelton got it in his possession.

Mr. APPELL. Your deputy, Woody Goodwin, was at that rally.

Mr. MILLIS. Yes, sir; he was.

Mr. APPELL. Do you mean to tell me that he didn't come back and report to you "Sheriff, my God, Shelton had one of our checks which we took from a prisoner"?

Mr. MILLIS. No, sir; he didn't say anything about it.

Mr. APPELL. And you never knew that Shelton had a copy of that check or used it at that rally?

Mr. MILLIS. No, sir; I didn't know he had a copy of it. I didn't know he had a copy of it and I did not know he used it at that rally.

Mr. APPELL. Until I had advised you of the fact that this did happen, you had no knowledge that Shelton or the Klan had a copy of this check?

Mr. MILLIS. No, sir; I did not know they had a copy of it.

Mr. APPELL. Will you, Sheriff, attempt to make an investigation to determine how this check was obtained from someone in your department who had this man in custody?

Mr. MILLIS. Yes, sir; I will do that.

Mr. APPELL. And after you do this, will you make a report of it to the committee?

Mr. MILLIS. I will do that. I certainly will.

(At this point Mr. Weltner returned to the hearing room.)

Mr. APPELL. Sheriff—

Mr. MILLIS. Or as a law enforcement officer, anything else you want, I will look into it and see what we can find out. If your men want to come down, we will do anything we can do as law enforcement officers.

Mr. APPELL. Thank you.

Sheriff, there were a series of crosses burned within your geographical boundaries of New Hanover County?

Mr. MILLIS. Yes, sir.

Mr. APPELL. What investigation did your department make to determine who set off these crosses?

Mr. MILLIS. The one that apparently was attributed to the Klan—the courthouse is in two different buildings and the one the sheriff's office is in faces Third Street; it's right on the Third Street side—no, I will correct that. We face Princess Street, near Fourth. The other side is near Third Street. It is dark on that side, very dark. I understand that some of the deputies was coming down the Third Street hill in the car and seen this fire and they drove up and seen it to be a cross. They immediately called the Wilmington Police Department. It was on the city streets and they called them. So a man came there and said four men had gotten out of a Cadillac, put it on the sidewalk, set it on fire, and took off. They didn't get any description of the people or the license number of the Cadillac.

I called the deputies in and told them I wanted them to work with the city police, and any information they could get on it to let them know. I was very concerned because the sheriff's department was the only office open at that time of night, everything else was closed. I didn't know if it was thrown at me or what the situation would have been.

The next day I did read in the paper that Mr. Bob Jones said something about a number of crosses had been burned over the State simultaneously that night in order to show, I believe, the Klan strength.

Mr. APPELL. This was May 28, 1965, which I understand was a day or two before some primary.

Mr. MILLIS. That is right.

Mr. APPELL. Sheriff, the puzzling thing to the investigation is that a part of the sidewalk had to be torn up, or it was torn up, in order to force this cross—

The CHAIRMAN. In order to what?

Mr. APPELL. A portion of the sidewalk was torn up in order to stand erect this cross which was burned which, according to our investigation, was 6 feet tall with an 18-inch arm on it, wrapped in burlap. This

takes considerable time. It seems to me that these people felt pretty safe and confident.

Mr. MILLIS. Well, there is police on the street. They walk beats downtown. Of course, we only have one man in the sheriff's office. He is back of the counter by himself, where the radio is. He don't get out to observe and get around. This was property damage when they damaged the sidewalk. It was a violation of the law to damage city property. The police was concerned about it.

Mr. APPELL. Describe for us the other crosses that were set off in your county.

Mr. MILLIS. Some of the other crosses—some of them was just sticks, tossed together, with kerosene, some had paper and some had rags. We had another one with just small sticks with burlap. We had two some months ago, and one in New Hanover County.

When I found out about it, I called my deputy, Mr. Wolf, and I said, "Take this report, go around to Wrightsville Beach, to the chief, compare your crosses and see if there is a comparison of the two." They didn't seem to think so after they compared the crosses, that they had any similarity.

Mr. APPELL. Do you have any leads which enable you to pursue an investigation looking forward to bringing about a conviction under North Carolina law?

Mr. MILLIS. We haven't been able to obtain the evidence. We have this on record, this report made in our office, of crosses burned near Pine Hill Drive on a girl's front lawn. I understand she had been to Chapel Hill, North Carolina, on some demonstrations with some colored people. The deputies went out and made an investigation and talked with them. At that time she said she didn't believe it was the Klan. She mentioned her husband's name and she said, "We believe he would know." Evidently he had some kind of connection or maybe knew somebody who might have been in it.

Mr. APPELL. If I may interrupt, what you are telling us is someone who might have been in the Klan.

Mr. MILLIS. The girl's father, her daddy, her mother said, "We believe we will be able to find out through somebody he may know," which she insinuated may be in the Klan.

Mr. APPELL. But the father is in the Klan?

Mr. MILLIS. No, sir; he is not in the Klan, but the father may know someone who had some connection with the Klan, who maybe can tell you, is the way she insinuated, from the words she spoke.

I came in that morning and read the report and I told two of the deputies to go back out to the house and talk to her, to scout around to all the neighbors and see if they heard or seen anything. The grass was burned there.

Then at that time she asked the deputies if they wouldn't investigate the Klan, to see if it possibly would have been. This was her second version, to see if it could have been the Klan. So she must have had a different thought on that. The neighbors, they talked to the neighbors, and also one man who was sitting in a car, I believe now, and they claimed they didn't see anything.

Mr. APPELL. But there is no doubt that the cross was burned?

Mr. MILLIS. There was a cross burned; yes, sir.

Mr. APPELL. But, as in the other cases, there has been no evidence or leads obtained by your department that might lead to a conviction under North Carolina law?

Mr. MILLIS. No, sir; not enough to be able to go on.

Mr. APPELL. This David Jones whose check I exhibited to you was a prisoner in your jail; he was beaten while he was a prisoner in your jail by other prisoners, was he not?

Mr. MILLIS. I would like to be able to tell you everything that I possibly know about it.

Mr. APPELL. Yes, sir.

Mr. MILLIS. He was put in that afternoon, late, into the jail, arrested by the city police, and the next day, the next morning, he went to court and was released in court. That afternoon, about 5 o'clock, Mr. Gervay, a colored news editor, called me and told me that Reverend Jones was in his office and said that he was beaten in jail. I said, "Well, send him down and we will make an investigation and get to the rock bottom of it." He did. He sent him down to the office. I talked with him. I called Mr. Johnson down, Mr. Joe Johnson.

Before Mr. Johnson came down, though, the preacher said the prisoner told him that Mr. Johnson or somebody like that told him, and he was with a demonstration, something about maybe beating him, or something to that effect.

Mr. APPELL. You mean you understood that Mr. Johnson——

Mr. MILLIS. No, the preacher had. He said, "I understood from some of the prisoners that they said Mr. Johnson told them to beat him up."

Mr. APPELL. Mr. Johnson, your deputy, is the jailer?

Mr. MILLIS. He is the jailer. So I called Mr. Johnson down and we talked with him and he said he did not tell them any such thing. He did not tell them to beat them up. I told Mr. Johnson, "I am going to get to the bottom of it." I called the jail and I said, "Who has been released from jail this morning other than some of the demonstrators and Mr. Jones?" And they said, "Nobody. Everybody we had this morning is in jail now."

I said, "Well, go ahead and make a lineup. We are going to find out who beat this man." There was two places, just alike, right in there [indicating], right about the end of your finger right there [indicating]. Then I put the phone down and he said, "I would rather not do that." I said, "It is a thing we are going to have to do," and he said, "Well, I don't want to go any further with it. We are going to drop it right where it is."

I said, "Mr. Jones, if we start dropping it where it is at, every time we find out somebody has been beaten in jail; if we tolerate it one time, we will have it other times." He said, "I don't want to go up there and I don't want to put anybody on the spot. Just forget about it."

Mr. APPELL. This is Mr. Jones.

Mr. MILLIS. Mr. Jones himself. I said, "Well, you can certainly identify the man. That is all in the world you have to do." We stayed there and talked some time trying to persuade him to go up into the lineup and he wouldn't do it.

The CHAIRMAN. A little louder, Sheriff.

Mr. MILLIS. We tried to persuade him to go upstairs and observe the lineup so he could pick his man out and he wouldn't do it. We tried

for some time. I wanted to clear it up because I was afraid something would come of it.

You know how publicity will happen. I thought the best way in the world was to get to the bottom of it, as we have on other occasions. Sometimes they will refuse to sign a warrant. I don't know how legal it would be, but we went ahead and got one anyway. We would go ahead and make the arrest and take them into court.

Mr. APPELL. Did your investigation determine that Mr. Jones had not been beaten?

Mr. MILLIS. I wouldn't say he hadn't been beaten, I don't know. But other than him backing out on us—the only thing we could do then was all we had was prisoners.

We asked him if he reported to the jailer when he went over to the court, when he was released from jail, and he said he did not. I asked him if he said anything to the judge about it in court, and he said he didn't.

I talked to the jailer on duty that morning and asked him did he see any black places on his nose, and he said no, he didn't observe any. I talked to the judge and he said he didn't see any marks.

A news reporter was there, Mr. Bill Snyder, and he said he talked with him and there was no sign of any marks on him. He left and the next thing we heard was we got a call from this colored newspaper.

Later on, Mr. Jones had a group around the courthouse and they were singing and making a noise and the court had to stop. The judge ordered the demonstrators up into the courtroom and he began to talk to them about disturbing the court, and he made a remark that the NAACP was worse than the Ku Klux Klan, and said he had no use for either.

Then he told Mr. Jones, "You are responsible for most of this, leading these people like this, coming down disturbing the court." So Mr. Jones beat his hand on the bench and then shook his finger in the judge's face and told him, "You know that is not true." The judge cited him for contempt of court, for 30 days. We had to take him to jail under the direction of the judge.

I told them to put him in a cell by himself, and not put him with the others because if something did happen before, I certainly didn't want it to happen the second time.

When he got ready to be released from the jail, when he was almost ready to leave the jail, Mr. R. A. Jarrell went up to him and asked him how had he been treated in the 30 days, and he said, "I couldn't be treated any nicer." Mr. Jarrell said, "Will you sign a statement to that effect?" And he said, "Yes, I will." He told them what to type and he said, "Bring it back and I will sign it." They typed a short statement and he signed it. I have that statement in my pocket now.

During the time he was there, he had one of those pictures of numbers that you buy from a bookstore, that you paint by the numbers, telling you what color to use. He painted a picture of the Good Shepherd and gave it to Mr. Rooney, one of the jailers. Everything went on just as fine as anything in the world for 30 days. I kept the statement. If you want the statement that he signed, I will give it to you.

Mr. APPELL. Yes, sir; we would like to have it.

(Document handed to committee.)

(Document marked "Marion Millis Exhibit No. 5" and retained in committee files.)

Mr. MILLIS. I have some statements here——

The CHAIRMAN. I can't hear you, sir.

Mr. MILLIS. Relating back to the first time that he said he was hit in the jail, he refused to go up to the lineup. I went upstairs and questioned each one of the prisoners and all of them stated that nothing happened in the jail. They were there at the time Mr. Jones came in and when he went out. Of course, I have them here, if you care to have them.

Mr. APPELL. Would you file them with the committee?

(Documents handed to committee.)

(Documents marked "Marion Millis Exhibit No. 6" and retained in committee files.)

Mr. MILLIS. Relating to the jail, the condition of it, we have always gotten it inspected. We have a report from the Federal inspector. Since I became sheriff the improvements have been such that they made it a full-time Federal jail. They were well satisfied with it. It used to be that they only gave the prisoner two meals. I didn't think that was right because the man is not guilty until he is found guilty, and even then he is a human being.

I convinced the commissioners that we should have more money to feed the prisoners three times a day. They are fed at 8 o'clock in the morning and 1 o'clock in the afternoon, and sometimes the city police would bring somebody in at 2 o'clock and that man wouldn't have anything to eat until the next morning.

I have an editorial here, a clipping from the paper, praising the achievement of three meals that I have done. I have a clipping from a newspaper where we have just recently gotten a report of having an excellent jail. I have the report signed by the State Welfare Department as to the conditions and the meals and everything was good. One of them says the jail is operated by a conscientious sheriff and jailer and well managed.

Mr. APPELL. Would you like to leave them for the record also?

Mr. MILLIS. Yes. I can get a copy of these from the Welfare, if I need to.

(Documents handed to committee.)

(Documents marked "Marion Millis Exhibit No. 7" and retained in committee files.)

Mr. APPELL. Sheriff, in the course of your membership in the Klan and the membership of your men, did you learn that within the Klan there might be certain men who are designated to carry out cross-burnings?

Mr. MILLIS. No, sir; other than I understand they do appoint a man for the cross-burning at the rally. They appointed him.

Mr. APPELL. I am talking about the crosses of intimidation and crosses that are publicity crosses on sidewalks, like in front of the courthouse.

Mr. MILLIS. No, sir; I didn't know they selected certain men for it. I didn't know that.

The CHAIRMAN. Sheriff, we have evidence also in other areas, not in your immediate area, that persons are also designated and sometimes

they even draw from hats, to be the one who is not only to burn crosses, but to do some bombings. Have you heard of that in your area?

Mr. MILLIS. No, sir; I haven't heard of anything like that. Other than this cross in front of the courthouse, we haven't had any. It has been very, very quiet and I hope it will remain that way.

Mr. APPELL. With respect to the election of your deputy, Charles "Woody" Goodwin, do you know that he was elected at a State meeting in Granite Quarry, North Carolina, in January of 1964?

Mr. MILLIS. Was elected in Granite Quarry?

Mr. APPELL. At a State meeting of the Klan held at Granite Quarry, North Carolina.

Mr. MILLIS. Is that the time he was supposed to have been elected to the State office?

Mr. APPELL. And that he was elected to the position of Klaliff or vice president?

Mr. MILLIS. The only thing that I heard was that it was a State office. The chief deputy did mention something to me about second man for the State. Then I heard it was just organizer, what his title was.

Mr. APPELL. What did your deputy, Goodwin, tell you?

Mr. MILLIS. When I talked to him to start with, the first time, he said he had been elected but he wasn't going to accept it, and he would take no part in it. I asked him not to. Sometime later on I did have another talk with him and he told me he had accepted it.

Mr. APPELL. The evidence is clear that he attended a great many—not a great many, but he attended rallies, and at the rally of July 11, according to the committee's investigation, he was exercising authority with respect to Klansmen who were patrolling the road. He continued in activity in the Klan, official or semiofficial capacities, long after January. When was it that you talked to him?

Mr. MILLIS. Let's see—I don't recall. To go back to it again, the Charlotte newspaper came out about the deputy being in it, and our news reporter came around after it was in the paper, and sometime after that, this date, if you have our local paper there, is when the chief deputy came to me and told me that Goodwin was still participating in the Klan, and told me that he had been elected a State officer.

Mr. APPELL. Do you mean Goodwin was elected in January?

Mr. MILLIS. No, I don't know when he was elected. I don't know when it took place.

Mr. APPELL. But our investigative knowledge is that he was elected in January.

Mr. MILLIS. He may have been.

Mr. APPELL. When this was brought to your attention, according to your testimony, is several weeks after a public rally held in May. Then you say you discussed it with Goodwin and he said, "I was elected but I am not going to be active, I am not going to accept it," but some 5 months had elapsed when he was in the office. I don't understand how he wasn't going to accept it when he was acting in the office for some 5 months.

Mr. MILLIS. It had apparently been a good while before it came to my attention.

Mr. APPELL. Did you order him then to resign the office and did he?

Mr. MILLIS. Yes, sir; I did. And he said that he was.

The statement that you have in our paper, whatever date that was—and I thought then everybody completely got out of it—it was some time after then that Mr. Jarrell came to me. I was overwhelmed.

Mr. APPELL. Do you mean the statement that appeared in the *Wilmington Morning Star* which is captioned by a story "Sheriff Denies Deputies Active In Local Klan Unit"? Is that the story?

Mr. MILLIS. I think so.

Mr. APPELL. That story is September 1, 1964, and this rally that I thought we were referring to and the date that we were trying to fix was several weeks after May.

Mr. MILLIS. Is this the first rally?

The CHAIRMAN. What year?

Mr. APPELL. 1964.

Mr. MILLIS. Was this the first rally?

Mr. APPELL. Yes, sir.

Mr. MILLIS. There was two more after that in New Hanover County. There was two more after that in New Hanover County.

Mr. APPELL. So the time that we are talking about is not May but sometime after September 1?

Mr. MILLIS. That is right, sometime after.

Mr. APPELL. Therefore, when we talk to Mr. Goodwin about his office on a State level, he has been in the office from January 26 until sometime after September 1?

Mr. MILLIS. I don't know the dates. But my understanding was it was a good while. This thing surprised me because it had been such a long time, and I found out he was still in it.

Mr. APPELL. It slipped my mind, Sheriff Millis, but this story which you asked me to refer to states: "Sheriff Marion Millis denied Monday that members of his department have actively engaged in Ku Klux Klan activities in New Hanover County" and then there is a direct quote which reads and I will read it as a direct quote:

"To my knowledge, no deputy in this department has ever been a member of the Ku Klux Klan or any other subversive organization," Millis declared in an interview.

Mr. MILLIS. Wasn't that a recent column? They copied two columns from the old one that I didn't give them. They copied from that.

Mr. APPELL. This one was obtained just last week from the *Wilmington Morning Star*. It carries the dateline of 9-1-64.

(Document handed to witness.)

Mr. MILLIS. The reporter, Kirk, came to my office and was talking to me about the Klan. He didn't ask anything about me ever being a member or my deputy. He wanted to know if I had any in the Klan, and I told him not to my knowledge. That is when he asked me what would I do if I found out I had one in the Klan. He wanted to know if I would fire him. I said, "I don't know." I don't know too much about a legal organization, if it is legal, and then if I find his purpose—I told him I was not an authority on civil rights and I didn't know whether it would fly back to me or not, under those conditions.

When this statement was made, to my knowledge everything was supposed to have been clear, everybody was supposed to have been out of it. And then time went on until sometime after this, when my chief deputy came to me and asked me if I knew Goodwin was still taking part in the Klan, and I said I certainly did not, and he said, "I understand they have elected him to some kind of a State office." I don't know how long after this it was.

Mr. APPELL. So it is clear from what you are now saying to us that while some of your members were in this order to seek information, some of them were in as ideological Klansmen?

Mr. MILLIS. Evidently. One of them—well, this one in particular, Goodwin was.

(Document marked "Marion Millis Exhibit No. 8" appears on pp. 1989, 1990.)

Mr. APPELL. Sheriff, I am, and I think the record is, confused as to specifically when it was that you ordered your men to get out of the Klan. It was my impression, and I think it is the impression of the record, that it was several weeks following the rally on May 2, 1964.

Mr. MILLIS. Several weeks. I don't know just how long. Of course, at that time they were at the Elberg Motel and then they had some kind of a falling out over the rental of the place and they moved on Second Street.

That was attended at one closed meeting and then the next meeting that was an open meeting.

Mr. POOL. Is that 1965?

Mr. APPELL. 1964, sir.

Mr. MILLIS. That is when they were ordered out of it. Then sometime later, to go back, the Charlotte paper came out with it, and our local reporter came to me and he wrote this article. Of course, at this time all of them were supposed to have been out of it. Then sometime later on, and I don't know just how long, weeks or months, the way time flies—you get busy—and the chief deputy came to me and it looked like he had gone overboard.

Mr. APPELL. Sheriff, it is the committee's information that as late as December 1964 your chief deputy was still attending closed meetings of the Klan.

Mr. MILLIS. 1964?

Mr. APPELL. December.

Mr. MILLIS. I don't think so. I believe if I would get with him and pin him down and see if he did, I believe he would tell me. I really believe he would. If you want to thrash these things out, if you get your man with me, we can go over the whole thing with them down there and give you a complete record. We will be glad to do it. In that way, maybe we can get our dates straight, if you get a complete picture. I want you to have complete and full things all the way through. There has been so much here and there until it is just hard to remember at all.

But before this paper came out, that is when they had the orders, and my understanding was the chief deputy didn't attend but two or three meetings.

Mr. APPELL. Sheriff, where does the New Hanover County Improvement Association now hold its meetings?

MARION MILLIS EXHIBIT NO. 8

WILMINGTON MORNING STAR
9-1-64

Sheriff Denies Deputies Active In Local Klan Unit

Sheriff Marion Millis denied Monday that members of his department have actively engaged in Ku Klux Klan activities in New Hanover County.

"To my knowledge, no deputy in this department has ever been a member of the Ku Klux Klan or any other subversive organization," Millis declared in an interview.

His remarks followed in the wake of a published report that several New Hanover County deputies are active members of the Klan or sympathetic to its cause.

Millis attributed the report at least partially to the fact that deputies on several occasions, have been assigned to attend KKK meetings that were open to the public. He said deputies have not attended the meetings since local Klan officials have been instructed to bar spectators from KKK sessions.

He added that some of my deputies and Klansmen has been assigned for the past several months. The sheriff explained before that I received a phone call from a Klansman who he had heard that some of the sheriff's deputies were taking part in the march on Washington.

He suggested that the sheriff's department to "may have" political opinions declined to take part in the march. He added that there is a deputy who is running for sheriff and started this town news.

He said that a few weeks ago about the rumor and at that time denied any knowledge of cohesion between his department and the Klan.

The report, published in Sunday's (August 30) edition of The Charlotte Observer, follows:

"In New Hanover County, one of the strong centers of Klanism, upwards of half the 20-odd members of the New Hanover County sheriff's department are reported to hold membership in the Klan or are strong Klan sympathizers."

The report did not attribute the accusation to any source, official or otherwise.

Asked if he intended to question his deputies individually concerning the matter, Millis replied:

"That has already been done. When I first heard this rumor I personally asked each of the deputies if they had ever been affiliated with the Ku Klux Klan. Each said they had not."

Millis also said he did not believe a law enforcement officer could be loyal to his oath of office while pursuing the goals of the KKK, but added:

"If I found out that a deputy was a member of the Klan, I am not certain if I would be within my rights to discharge him for that reason. The civil rights bill can work in reverse, and if I fired a man because he was a member of the Ku Klux Klan the law might determine that I had discriminated against the deputy."

The sheriff said he had been trying to keep abreast of Klan activities but that none of his deputies had been instructed to join the KKK.

WILMINGTON MORNING STAR

May 25, 1965

Klan Denied Stadium Use, Council Rules

The Wilmington City Council Monday denied the Klu Klux Klan the use of Legion Stadium for a June rally.

Warren Chadwick, a spokesman for The United Klans of America, Knights of the Klu Klux Klan, had made the request for the municipal stadium June 12.

Chadwick said his request this morning to the council was an appeal, after being turned down by City Manager E. C. Brandon Jr.

The Klansman said the ritualistic cross-burning would be taken out of the ceremony after a 1950 city ordinance was read, which outlawed cross-burnings. The Council, however, voted to uphold Brandon's refusal.

Brandon told the council he had denied the use of the stadium because he was afraid a Klan meeting in the city might upset the local racial balance.

Mayor O. O. Allsbrook said he felt the council should not do anything to "add to the confusion" of the racial situation in the south.

"My personal feeling," the Mayor said, "is that we have come a long way in the past few years. I would hate to do anything to pit me against you (Chadwick) or you against anyone."

Chadwick glowered across the council table and said, "Gentlemen, you have made one drastic mistake. You have denied the white people here the right to assemble as guaranteed by the Constitution of the United States."

Chadwick, in deciding not to use the cross-burning, said that is merely part of the ritual and is "not intended to intimidate anyone."

He said the purpose of the meetings are to "inform the public" of certain "situations" in the country.

The Klan, he said, is more

interested in exposing the activities of Communists than in inciting racial unrest. "The communists are in back of the problems of this country," he said.

After the council upheld Brandon's refusal for the use of Legion Stadium, Chadwick and three unidentified men left.

But, at the end of the meeting they returned, and Chadwick asked permission to read from the Klan's charter to "clarify a few items" for the council.

Chadwick said the Klan is no more subversive than any other fraternal organization. "Catholics have the Knights of Columbus. Jews have B'nai B'rith. We (white protestants) have the Knights of the Klu Klux Klan."

In closing, he said the purpose of the Klan is to "teach patriotism." He asked the council to reconsider the request for the municipal stadium.

They refused.

Chadwick then asked the procedure for securing a parade permit.

Brandon said anyone could get a parade permit if they complied with the city's laws. He said Chadwick should submit information concerning the length and time of the parade and its route, and if the parade would not unduly inconvenience traffic in town, the permit would be issued.

At the beginning of the meeting the council awarded a \$10,068 roofing contract to Hanover Iron Works Inc. The firm will put a new roof on the Sweeney water treatment plant, at Hilton.

The council adopted a three-part proposal of the City Planning Board, presented by Bert Flowers of that board.

He said the city needs three additional minimum housing code enforcement officers. He said the new officers are needed to do the work of the Housing Authority.

Councilwoman Hannah Block handed across the table a packet of pictures of houses in town which do not conform to the minimum code as an explanation of "why we need those officers."

Flowers said the additions to

the staff will also be needed to receive funds for urban renewal.

He gave the council a suggested new code for the city, and asked the city to set up a minimum standards board for appeal by property owners from decisions of housing inspectors.

An appeal from that board, he said, would go to the courts. That would take the council from the position of being an appeal board.

Funds for the three additional officers would be a budget item, Brandon said. The code will have to be drawn up by the city attorney.

Former City Manager James R. Benson was appointed to the Board of Adjusters, replacing C. M. Harrington, who left that position to succeed E. S. Capps on the council.

Councilman-elect Luther Cromartie was a guest at Monday's meeting. Yow motioned him to a seat at the table, which he took, murmuring, "I hope I'm not being presumptuous."

The three councilmen elected earlier this month will be sworn in at the May 31 meeting. The ceremony will be at 11:30 a. m.

That meeting will also be the organizational session for the new council.

The new councilmen, Luther Cromartie and Harrington will attend a school for new councilmen in Chapel Hill, June 14 and 15, the council announced.

City police Pvt. W. M. Lewis was promoted to the rank of sergeant.

Councilman John Symmes asked Brandon for an opinion on requesting legislation levying a one-cent retail sales tax in the city. He said such a tax could allow the reduction of property taxes by as much as 50 per cent.

Brandon said the League of Municipalities had considered the sales tax, but felt there was a better chance of getting a bill to return three of the six per cent franchise tax paid by public utilities.

At present, he said, less than one per cent is being returned to the towns by the state.

Mr. MILLIS. It is a place on the inland waterway, by the Carolina Beach Bridge, going over to Carolina Beach, on the right. It is down to the right of the bridge.

Mr. APPELL. Even though you had evidence that at least one of your deputies had not dropped out of the Klan after you had issued orders for your men to drop out of the Klan, what type of surveillance has your office been conducting of the site at which the Klan holds their Klan rallies in order to determine the composition of the Klan as it exists at the present time?

Mr. MILLIS. The place at the present, I don't have any information of any deputies going to this location. I can go right on through and tell you these locations if you want to, of where they have met.

Mr. APPELL. I want to know what kind of intelligence activity your department is carrying out in order to keep yourself fully abreast of Klan activities within your county?

Mr. MILLIS. Well, I have asked the men to go that night and check and observe, and see if anything is going on. I am trying to find out if anyone was still in it, because I was confident there wasn't any more in it after this, after I talked to Goodwin the last time. I was confident they had really gotten out of it.

Mr. APPELL. After you found out that one of your deputies had not gotten out, contrary to your instructions, had you checked with, let's say, the head of the State Bureau of Investigation to determine whether or not they had any evidence?

Mr. MILLIS. No, sir. The only time I talked to anyone in the SBI to begin with pertaining to the Klan was when they first started, when they just got organized, and I got Mr. Bill Hunt to go across the street with me and get a cup of coffee. I brought up the Klan and asked him if he knew it was organizing, and he didn't seem to have any knowledge of it. That is the only time that I had talked about it. They didn't seem to be interested and I didn't know if he would be or not. I was under the impression then it was legal and all right to operate.

Mr. ASHBROOK. Mr. Chairman, could I ask one point on this matter of surveillance and investigation?

You have talked extensively, Sheriff Millis, about the intelligence work of your department in regards to Klan activities. Going back to one specific point you raised, which wasn't clarified too much in my mind, the point at which there was a cross-burning in town and you referred to it as a big cross and the evidence indicates that it even required some demolition of the sidewalk to have it repaired, you noted at that point that there were some city policemen around.

Could you tell us on this same point of investigation and surveillance whether, to your knowledge, any of the city police members were in the Klan for the same purpose as yourself?

Mr. MILLIS. No, sir; I don't think so. I don't think there was.

Mr. ASHBROOK. But the original meeting you attended where the doors were closed, as you put it, after some 25 had left, and the oath was given, there were no city police members there either before or after the doors were closed?

Mr. MILLIS. No, sir.

Mr. ASHBROOK. So to the best of your knowledge, no one in the city police force is a member of the Klan for any purpose, whether it be for surveillance or active participation?

Mr. MILLIS. No sir; I don't think they are.

Mr. APPELL. Chief, I am lost to understand the statement you made before Congressman Ashbrook's question, and that is your meeting with Sergeant or Detective Hunt with the SBI.

Mr. MILLIS. He is an investigator.

Mr. APPELL. An investigator for the SBI. And then asking him if he had heard whether or not there was a Klan organized in the community.

Mr. MILLIS. I asked him if he knew there had been.

Mr. APPELL. He knew that?

Mr. MILLIS. No, sir; he didn't comment.

Mr. APPELL. But why, when you were involved in the original organization of the Klan, did you ask him if he knew it?

Mr. MILLIS. The only thing that they were coming in on is felonies committed, they will come in and assist the local officers on investigations. There are some things that they won't, that you have to call for their assistance. It would have to be a felony. When I mentioned it and he didn't say anything, didn't comment, didn't seem to know anything about it, I didn't say anything else to him.

Mr. APPELL. But were you trying to determine from him——

Mr. MILLIS. Just to see if he had heard, but he didn't comment.

Mr. APPELL. As a security matter against yourself and your men?

Mr. MILLIS. No, sir; I don't think Mr. Hunt even had come into the picture at all at that time.

Mr. APPELL. Did you advise him that your men had infiltrated the organization?

Mr. MILLIS. No, sir; I didn't.

Mr. APPELL. Mr. Chairman, the staff has no further questions of Sheriff Millis.

The CHAIRMAN. Sheriff, I call your attention to the Klanishness section of the oath of allegiance. I will read two paragraphs. The first paragraph reads:

I most solemnly pledge, promise and swear that I will never slander, defraud, deceive or in any manner wrong the * * * a [Klan]*sman nor a [Klan]*sman's family nor will I suffer the same to be done if I can prevent it.

And then going down I read this paragraph:

I swear that I will keep secure to myself a secret of a [Klan]*sman when same is committed to me in the sacred bond of [Klan]*sman'ship—the crime of violating THIS solemn oath—treason against the United States of America—rape—and malicious murder—alone excepted.

Mr. Appell, under oath in his opening remarks and relating his experience in this investigation, said:

I have already read into the record the secrecy section of the Klan oath. The wording of this oath indicates that if a law enforcement officer should join the Klan and become a dedicated member of it, placing this oath above all others, he would place himself in the position of not being able to fully discharge his duties as a law enforcement officer.

In general, may I ask you, don't you agree with Mr. Appell's conclusion?

Mr. MILLIS. If he took this oath ahead of everything else in heart, I think he probably wouldn't be able to. But if he took it for other reasons——

The CHAIRMAN. In other words, you agree that such an officer who would take this oath, respecting it for all purposes except treason against the United States, rape and malicious murder, that taking the oath, according to Mr. Appell under oath, would, in his opinion, place that officer in the position of not being able to fully discharge his duties as a law enforcement officer.

Would you not agree with that?

Mr. MILLIS. Yes, sir. That is one reason I made the remark that on account of our oath was the reason that I wanted them to clear the house.

The CHAIRMAN. That oath——

Mr. MILLIS. That is, after we——

The CHAIRMAN. —would embarrass an officer in apprehending a fellow Klansman in, for instance, the burning of a cross, would it not? Or exploding a bomb? That would include acts of violence of that type.

Mr. MILLIS. They would be acts of violence, that is right.

Mr. POOL. Mr. Chairman?

The CHAIRMAN. Mr. Pool?

Mr. POOL. I have several questions. Were any other public officials in your county members of this Klan?

Mr. MILLIS. I don't have any knowledge.

Mr. POOL. You have no knowledge of any other public officials in your county being members of it?

Mr. MILLIS. No, sir.

Mr. POOL. Were any close relatives of public officials members of the Klan?

Mr. MILLIS. Yes, sir.

Mr. POOL. Would you care to name them?

Mr. MILLIS. My son-in-law. He went one night, I think.

Mr. POOL. Your son-in-law?

Mr. MILLIS. Yes, sir.

Mr. POOL. What is his name?

Mr. MILLIS. J. T. Abbott.

Mr. POOL. He was a member of the Klan?

Mr. MILLIS. Yes, sir.

Mr. POOL. That is the only relative you have?

Mr. MILLIS. The only relative.

Mr. POOL. And you have no knowledge of any other relative of any other public officials?

Mr. MILLIS. No, sir. He didn't take part in it. He just left.

Mr. POOL. He wasn't in the Klan to keep touch and report to you?

Mr. MILLIS. No, sir.

Mr. POOL. You have these deputies you testified a while ago that you assigned to investigate the cross-burnings in your county. Do you recall who these deputies were?

Mr. MILLIS. One of them was Mr. Paul Wolf.

Mr. POOL. Was he a member of the Klan?

Mr. MILLIS. No, sir.

Mr. POOL. Who were some of the others?

Mr. MILLIS. I think O'Sullivan.

Mr. POOL. Was he a member of the Klan?

Mr. MILLIS. No, sir.

Mr. POOL. Were any of those officers that you assigned to investigate the cross-burnings members of the Klan?

Mr. MILLIS. There is only one of them, Mr. H. N. Bridges, who was in it who went with another deputy to follow up some investigative work.

Mr. POOL. Did you or your men make a list of the membership of this Klan in New Hanover County?

Mr. MILLIS. No, sir.

Mr. POOL. Did you have a chance to make a list?

Mr. MILLIS. Some of them that I imagine was in there could have.

Mr. POOL. Isn't that a pretty good idea, to have a list of the membership in case you have trouble?

Mr. MILLIS. Yes, it would have been.

Mr. POOL. But you didn't do it?

Mr. MILLIS. Everybody to my knowledge that was in there at the time is out and I think there has been a complete turnover.

Mr. POOL. Did you take any pictures?

Mr. MILLIS. No, sir; we didn't have any chance to take a picture.

Mr. POOL. Let me ask you this, then: Did you make an investigative file on the Ku Klux Klan Klavern in your county?

Mr. MILLIS. No, sir; not on file there.

Mr. POOL. You had no notes or no information?

Mr. MILLIS. We had notes, there were some notes around.

Mr. POOL. Are these notes available to this committee?

Mr. MILLIS. I would have to get the notes from some of the deputies. All of them have notebooks.

Mr. POOL. Each deputy has his own notebook and that is his file?

Mr. MILLIS. No, sir; they make reports when a law has been violated and we file it away under the classification.

Mr. POOL. There is one question that bothered me a little bit, and that is either you or your men went to this meeting of the Klan for the purpose, I believe you said, that you were going to investigate to see what was going on, or something to that effect.

It is always a good idea when you do something like that to have a backstop in case you get caught. Did you notify the FBI that you were investigating this particular Klan in your county?

Mr. MILLIS. No, sir. We thought at that time it was legal and went in to see what it was.

Mr. POOL. You didn't notify the State police agency?

Mr. MILLIS. No, sir.

Mr. POOL. The SBI?

Mr. MILLIS. No, sir. He is not available all the time. He works in several counties.

Mr. POOL. Did you tell your district judge or your circuit judge?

Mr. MILLIS. Afterwards, I talked to the district judge and I talked to Mr. John Burney, who had just been relieved as district solicitor. The other district solicitor had been relieved.

Mr. POOL. You talked to him?

Mr. MILLIS. Yes.

Mr. POOL. And you told him one of the purposes of going into the Klan was for the purpose of investigating it, keeping an eye on it?

Mr. MILLIS. When I talked to John Burney, he had just resigned. I was talking from the legal points.

Mr. POOL. But you didn't actually—

Mr. MILLIS. He had just been sworn in, and he lives in another county, the new one. He has four counties.

Mr. POOL. You say that you will supply these notebooks?

Mr. MILLIS. Everything that I can get, everything we can do.

Mr. POOL. Can you get your men, from their observations and investigations, to compile a list of the membership of this Klavern?

Mr. MILLIS. We will try to achieve that.

Mr. POOL. Will you furnish that to the committee?

Mr. MILLIS. We will try to achieve that; yes, sir. One reason that some of this wasn't done is everything looked legal. At that time there was no publicity on any Klan activity and no violation that I recall. Of course, sometime later on things did begin to come out.

Mr. POOL. Yet you said you got in to find out what was going on and to keep tab on them.

Mr. MILLIS. Yes, sir.

Mr. POOL. So we ought to have this information furnished to the committee.

Mr. MILLIS. I think so.

Mr. POOL. That is all.

Mr. WELTNER. Mr. Chairman?

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. Sheriff, you are the chief law enforcement officer of New Hanover County?

Mr. MILLIS. Yes, sir.

Mr. WELTNER. And it is your responsibility under the laws and constitution of North Carolina to enforce the laws enacted by the State legislature?

Mr. MILLIS. That is true.

Mr. WELTNER. Mr. Sheriff, I have a copy of the oath to be taken by the sheriffs in the State of North Carolina, which I would like to read and ask you whether or not this is the oath that you have taken.

I, ———, do solemnly swear (or affirm) that I will execute the office of sheriff of ——— County to the best of my knowledge and ability, agreeably to law; and that I will not take, accept, or receive, directly or indirectly, any fee, gift, bribe, gratuity or reward whatsoever, for returning any man to serve as a juror or for making any false return on any process to me directly so help me God.

Do you recall that to be the oath?

Mr. MILLIS. Yes, sir.

Mr. WELTNER. I would like to turn to Section II, the secrecy oath, of the United Klans of America, which was exhibited to you at the outset of this session and read this section:

I most solemnly swear that I will forever keep sacredly secret the signs, word and grip and any and all other matters and knowledge of the * * * * [Ku Klux Klan]—regarding which a most rigid secrecy must be maintained which may at any time be communicated to me and will never divulge same nor even cause same to be divulged to any person in the whole world unless I know positively that such person is a member of this Order in good and regular standing—and not

even then unless it be for the best interest of this Order. * * *—I will die rather than divulge same—so help me God—

Does this oath mean that if a Klansman states to another Klansman that he is guilty of offense against the laws of the State of North Carolina, that the party to whom it has been divulged cannot reveal that?

Mr. MILLIS. I never read the oath. I never studied it. All I know is when he administered the oath, it was strung around and I didn't hear everything he said. But the Klan oath is of some self-made organization. It is not law. My oath as sheriff is, and I am certain would override anything that would be in any organization I would join, whether it be fraternal or whatnot.

Mr. WELTNER. Let me ask you this hypothetical question:

As the chief law enforcement officer of Hanover County, if you had a deputy who was under some sort of a self-imposed restraint from imparting any information he might obtain about the Ku Klux Klan, would you feel like he could discharge his duties as your deputy?

Mr. MILLIS. Yes, sir; I do.

Mr. WELTNER. Do you feel that a man can take this oath of secrecy and still be an officer of the law?

Mr. MILLIS. If he took it with the pretense of fulfilling that oath fully and sticking with the Klan, and his heart being in it, then I don't think he could.

Mr. WELTNER. If he meant what he said when he took the oath, he couldn't be an efficient and effective law enforcement officer?

Mr. MILLIS. No, sir; not if he took it for that purpose.

Mr. WELTNER. So if he sincerely subscribed to the words contained in this oath, it would mean that he would be unfit to exercise the duties of a law enforcement officer?

Mr. MILLIS. I am not an attorney. I don't know fully whether he would or not.

Mr. WELTNER. If he couldn't disclose any information that he might gain as to the commission of a crime, that would make him unfit to be a law enforcement officer; wouldn't it?

Mr. MILLIS. They have done it with me. They have brought information to me.

Mr. WELTNER. Sir?

Mr. MILLIS. They have brought information to me as to what was going on in the organization.

Mr. WELTNER. I am not asking you as to your personal experience. I am asking you as a law enforcement officer of 25 years experience, I believe. If a man is unable to report to you what he learns as to the commission of crimes in your county, then that man cannot be an effective law enforcement officer, acting under you; could he, sir?

Mr. MILLIS. Not if his heart was in it and he felt dedicated in his heart to carry out this oath, he wouldn't be.

Mr. WELTNER. Because he would have a higher duty, would he not?

Mr. MILLIS. Yes, sir.

Mr. WELTNER. He would have a duty to the State of North Carolina pursuant to his oath as a law enforcement officer, and that duty pursuant to this oath is contradictory to the duty to the Klan pursuant to its oath; is that not right?

Mr. MILLIS. Apparently, since I looked it over, it looks like some of it would be.

Mr. WELTNER. It is contradictory?

Mr. MILLIS. Yes, sir.

Mr. WELTNER. Thank you, sir.

Mr. BUCHANAN. Sheriff Millis, growing up in the South and having lived in the South all my life, it has been my distinct impression that the overwhelming majority of the people of the South do not approve of the Ku Klux Klan.

Would you say this to be true on the basis of your 25 years' experience in New Hanover County or not?

Mr. MILLIS. From the publicity it has got I don't think they look up to it much.

Mr. BUCHANAN. I beg your pardon?

Mr. MILLIS. I don't think they approve of it too much.

Mr. BUCHANAN. In trying to understand whatever measure of strength the Klan may possess, or whatever measure of public support and acceptance it may have, and I ask this for my personal information in trying to understand this situation, you have had a good bit to say about the activities of one David W. Jones. Would you say that his activities helped to create sympathy for or opposition to the Ku Klux Klan, or had no particular effect on public opinion towards the Klan?

Mr. MILLIS. At that time there was no Klan in New Hanover County.

Mr. BUCHANAN. There was no Klan at that point?

Mr. MILLIS. No, sir.

Mr. BUCHANAN. Thank you, sir.

Mr. MILLIS. I think that boy's heart was in what he was doing. He was doing what he felt like he could do.

Mr. BUCHANAN. I intended no comment on the nature of his activities or the worthwhileness of his activities. I was interested in trying to understand whatever measure of strength and support the Klan might have and what factors might influence it pro or con.

That was the reason for my question.

Thank you.

Mr. SENNER. Sheriff Millis, who did you describe in testimony here who died from a heart attack?

Mr. MILLIS. Who died from a heart attack?

Mr. SENNER. Somebody who died, who is deceased? You said he was in the hospital for several months from a heart attack.

Mr. MILLIS. Mr. Bridges is one. He had a heart attack.

Mr. SENNER. How many cross-burnings have taken place in your jurisdiction, located within your jurisdiction?

Mr. MILLIS. In the city and county, there have been about five or six.

Mr. SENNER. Isn't it a fact that you have concurrent jurisdiction with the city in regards to misdemeanors and felonies?

Mr. MILLIS. We have an agreement with the police department that they will handle all criminal work within the city limits.

Mr. SENNER. Including felonies?

Mr. MILLIS. Yes, sir; everything.

We have other work other than criminal work outside the city limits, and in the city, such as our civil work, our courts, our jail, and so forth.

Mr. SENNER. I take it that your office, in conjunction with working with the various city police departments within the county, has been unable to conclude investigations relative to the burning of a cross within your jurisdiction that would lead to the arrest of any individual; is that correct?

Mr. MILLIS. Do we work together on cases?

Mr. SENNER. Have you been able to conclude who the principals were in the commission of the crime of burning a cross, trespassing on other people's properties, and setting fire to crosses, within your jurisdiction?

Have you been able to solve one of these?

Mr. MILLIS. No, sir; we have not been.

Mr. SENNER. You have not been able to arrest a single soul?

Mr. MILLIS. No, sir.

Mr. SENNER. Is your chief deputy Goodwin still on the force?

Mr. MILLIS. Yes, sir; he is there.

Mr. SENNER. Is he still a member of the Klan?

Mr. MILLIS. Not to my knowledge, he is not.

Mr. SENNER. You testified that you had knowledge that he was a member of the Klan as late as September 1, 1964.

Mr. MILLIS. At one time he was, but I am almost certain he is not. If he is, it is unbeknown to me and it is certainly that he is going against our orders.

Mr. SENNER. Is your chief deputy Goodwin the one who keeps records?

Mr. MILLIS. No, sir; he is not chief deputy.

Mr. SENNER. What is his name?

Mr. MILLIS. Mr. Waters.

Mr. SENNER. I think your testimony would indicate that you stated when the cross was burned on the county courthouse grounds, in which they removed part of the sidewalk, some of your deputies observed the Cadillac?

Mr. MILLIS. No, sir; they seen the fire, to my understanding, when they was coming down the Third Street hill. They went up there and seen what happened and immediately called the city police. They started scouting around trying to find anyone who may have seen anything. They talked to a man who said there was four men who got out of a Cadillac and put the cross out and set it on fire and took off. They didn't get a license number or a description of the men.

Mr. SENNER. Did this man indicate how long it took four men to erect the cross on the county courthouse?

Mr. MILLIS. He talked like it took just a few seconds and they were gone.

Mr. SENNER. Even in view of your testimony that they had to remove part of the sidewalk?

Mr. MILLIS. I went out and looked where the cross was burned. It was a little place that already had been broken. There was a little piece of concrete sticking out and it looked like it had been broken.

Mr. SENNER. How deep did they dig the hole to place the cross?

Mr. MILLIS. It had been messed up. I don't know whether someone filled it up or not. But it was practically level when I seen it. Someone must have put the dirt back in.

Mr. SENNER. How did they get the cross to stand up?

Mr. MILLIS. I don't know. They could wedge it there, I suppose, between the sidewalk and the curb.

Mr. SENNER. What does your investigation disclose about how the cross stood, if you recall?

Mr. MILLIS. That it was wedged between the sidewalk and the curb and put into a hole.

Mr. SENNER. How deep was the hole?

Mr. MILLIS. I don't know. When I got there it was leveled off, on account of the people walking.

Mr. SENNER. I assume that your deputies when they contacted the city police went back to the scene of the crime.

Mr. MILLIS. Yes, sir. They stayed there until the police came.

Mr. SENNER. Wouldn't the report indicate how deep the hole was?

Mr. MILLIS. I can find out. I didn't ask him, but I can find out.

Mr. SENNER. Would you advise this committee?

Mr. MILLIS. Yes, sir; on everything.

Mr. SENNER. Do I take it from your testimony that it is your opinion as a police officer with 25 years experience that that cross was erected in a matter of seconds?

Mr. MILLIS. Well, some people may refer to it as seconds when it may take a minute. He said they wasn't there long and they had erected this cross, set it on fire and took off. It didn't take long. He didn't say exactly how long. We can find this man and talk to him. I talked to a bondsman later on and inquired around, I asked him because his office was across the street. I asked him if he had seen anything, and he said yes, he had.

Mr. SENNER. If our information is correct, that the cross was 6 feet long and 18 inches wide, would they be able to get that in and out of a Cadillac?

Mr. MILLIS. Six feet long? I suppose they had it in the trunk. The end of it may stick out.

Mr. SENNER. I beg your pardon?

Mr. MILLIS. If they had it in the trunk of a Cadillac, the end of it may stick out. Six feet would be a right good, long trunk.

Mr. SENNER. Was it two by four or four by four?

Mr. MILLIS. I think it was four by four.

Mr. SENNER. A pretty heavy cross.

Mr. MILLIS. Yes, sir.

Mr. SENNER. What did you take the burning of the cross to mean to you or to the courthouse or the people of that county?

Mr. MILLIS. That night I couldn't understand it being in front of the courthouse. We in the sheriff's office was the only office open that night. I didn't know what the point was, until the next day, when it came out in the paper, and they said they burned so many over the State simultaneously. I haven't heard of any arrests being made anywhere in any county, or not to my knowledge.

Mr. SENNER. Sheriff, do you have any unsolved criminal offenses relative to the subject matter of beatings, bombings, burnings, sugar in gas tanks, dead chickens in post office boxes?

Mr. MILLIS. No, sir. We have had mail boxes blown up, boys putting firecrackers into the mail boxes and blowing them up. We have made arrests at times, and sometimes it has gone on and we haven't been able to get anything.

Mr. SENNER. Do you think this is the work of the Klan?

Mr. MILLIS. No, sir; because it has been going on for years, at times, particularly at Christmastime.

Mr. POOL. Did you say mail boxes blown up?

Mr. MILLIS. Yes, sir.

Mr. POOL. Did you report that to the Post Office Department?

Mr. MILLIS. Yes, sir; and they refer it to us to find out something about it.

Mr. POOL. They don't send investigators down there?

Mr. MILLIS. No, sir. We have mail boxes broken into and they left it up to us. We caught one recently who got a prison sentence. There was stamps taken, and I believe some post office money, as I can recall. They came out and looked but they left it up to us to investigate.

Mr. SENNER. Sheriff, do I take it from your testimony that on assault and battery cases, relative to, maybe, racial demonstrations of one kind or another, all of these are solved as far as your office is concerned, or do you have some unsolved?

Mr. MILLIS. In the county, outside of the city limits, we haven't had anything to attribute to anything that may be of a civil rights matter. They have in the city, on things that happened. Some have been solved and some haven't. Of course, they have been both ways, whites against colored and sometimes colored against whites. We had one white man beaten to death in front of a grocery store, stabbed in front of the store, about a year ago, Mr. Neil McLamb. An arrest was made in that case. The man was put in our jail and there was no uprising at all. We had an attorney whose brother was beaten by a group of colored boys and they were arrested and put in the jail and we didn't have any uprising at all in the county about it. We had the mother of a 9-year-old girl shot in her presence the day before Christmas Eve in the supermarket. Two was arrested. This happened in another county. Two was arrested and put in our jail and we didn't have any response to that whatsoever.

The white nurses home was broken into by a colored man, and he raped a nurse and then he went on Dock Street and broke in the home of a 14-year-old girl. The city police investigated. He is supposed to have tried to rape her or raped her. I don't remember now. There was no uprising about that.

We had a lady——

Mr. SENNER. Sheriff, what I understand you are talking about now——

Mr. MILLIS. It has been very quiet, with no uprising at all.

Mr. SENNER. —is when a person of Negro ancestry commits a crime, those are solved.

Mr. MILLIS. They are solved and, of course, the city police and all of us have been doing a pretty good job.

Mr. SENNER. What about the other way?

Mr. MILLIS. The other way has been, too, both ways.

Mr. SENNER. How come you haven't been able to solve any of these cross-burnings?

Mr. MILLIS. Most of them have been in the city and down at Rocky Beach. I think we may have had two or three in the county, but we haven't been able to get evidence on them.

Mr. SENNER. You just haven't been able to get that?

Mr. MILLIS. No, sir.

Mr. SENNER. Have you asked Chief Deputy Goodwin whether or not he would know who set fire to these crosses?

Mr. MILLIS. Sir?

Mr. SENNER. Have you ever asked your Chief Deputy Goodwin whether or not he would know who set fire to these crosses?

Mr. MILLIS. Yes, sir; we have called him and asked him if he thought it might be any Klan activity.

Mr. SENNER. What has been his response to you relative to this interrogation?

Mr. MILLIS. He didn't seem to think so. The only thing that looked like it might have been was the one in front of the courthouse, and some of the rest were just sticks tied together with kerosene on them, and some of them were just sticks broken that had burlap on them.

Mr. SENNER. In view of the oath of office that you take to uphold the constitution of the State of North Carolina, and the oath that has been administered both to yourself and to your Chief Deputy Goodwin——

Mr. MILLER. He is not the chief deputy.

Mr. SENNER. —and the conflict between these two oaths, are you telling this committee that you believe that you could rely on Mr. Goodwin's answers to you relative to an act of violence?

Mr. MILLIS. I will ask any deputy anything and take what I can get from him, and won't stop at that. That wouldn't be the end of it.

Mr. SENNER. Apparently your Chief Deputy Goodwin——

Mr. MILLIS. He is not chief.

Mr. SENNER. —didn't follow your orders and resign from the Klan.

Mr. MILLIS. He is not a chief deputy. He is a deputy, not a chief deputy.

Mr. SENNER. I thought you described him as chief deputy.

Mr. MILLIS. No, sir. Someone else did.

Mr. SENNER. Who is your chief deputy?

Mr. MILLIS. R. A. Jarrell.

Mr. SENNER. Is he a member of the Klan?

Mr. MILLIS. No, sir.

Mr. SENNER. Was he?

Mr. MILLIS. Yes, sir; for 2 or 3 nights he attended meetings.

Mr. SENNER. The same question I submitted to you relative to Goodwin, wouldn't that apply to your chief deputy? How can they follow your instruction, how can they report to you on the activities of the Klan when they conscientiously believe in this organization, and how can you reconcile that with the oath of office that you have taken for the people that elected you to that office, to uphold the laws of the State of North Carolina?

Mr. MILLIS. The laws have certainly been upheld. I believe that since some of this stuff has come out about the Klan activities, even Mr. Goodwin has frowned on it, some of the things that happened. I believe with the type of man he is, I believe he would still go out and make an investigation and would make the arrest.

Mr. SENNER. Sheriff, what time of night did the cross-burning take place on the county courthouse?

Mr. MILLIS. I believe it was about 10 or 11 o'clock. That is the best I can recall. I would have to look at the report.

Mr. SENNER. And you could only find one person on the street that observed this Cadillac?

Mr. MILLIS. No, sir; the city police and the deputies talked to a man that seen it that night.

Mr. SENNER. What did you do in your individual capacity as sheriff relative to the burning of the cross on the property of the county of New Hanover, belonging to the people of that county?

Mr. MILLIS. It was on the city sidewalk. Of course, the next morning when I seen the report I called the deputies and talked to them. They told me what they could about it. I went out and looked at the spot where it was. I knew there was a bondsman across the street, Mr. Parish, and I talked to him and he said he seen them. I asked him could he get a license number and he said no, and I asked him could he identify the men, and he said no, he could not identify them.

Mr. SENNER. How many Cadillacs do you have in your county?

Mr. MILLIS. There is a number of Cadillacs.

Mr. SENNER. You made no check of the color of the car, the description of the car?

Mr. MILLIS. One said white and one said black. Of course, it is extreme colors, but somebody should get together on it.

Mr. SENNER. And I take it you didn't find one.

Mr. MILLIS. Right.

The CHAIRMAN. Do I understand you have a couple of questions left?

Mr. APPELL. Yes, sir.

Sheriff Millis, during the interrogation of Mr. Constantineau yesterday, it was brought out that he holds a Federal Firearms License and sells weapons at his Beacon Gun Shop. Congressman Weltner had swiftly reviewed the records of sales which we subpoenaed from him and noted for the record that several weapons were purchased by Klansmen in the Wilmington area.

I do not recall specifically how many. What investigation has your office made of the sale of weapons by Mr. Constantineau to people whom your department knows to be Klansmen in order to determine whether or not these people are carrying these weapons as Klansmen in violation of North Carolina law?

Mr. MILLIS. I don't know of any Klansman that has bought a permit that I can recall. There may have been, but I don't recall any. The State law says that all they would have to do to satisfy the sheriff of a county is the person's reputation to obtain a permit, if there has never been any kind of trouble. If you have a good reputation, you are bound to get a permit under the State law. I don't know of any particular name of any particular Klansman.

Mr. APPELL. The records that Mr. Weltner referred to of purchases I think were handguns, revolvers, and pistols, and they were Warren Chadwick, McLamb, and Red Biddle. Under the Federal law, Mr. Constantineau has to keep records and these records are available to you. You could examine them and your department could examine them and determine whether or not a person bought a weapon for which a permit must be obtained from your office, and could have carried

out an investigation to determine whether or not purchasing that pistol was in violation of the North Carolina law.

What I ask you, sir, is what action has your department taken in order to make these determinations?

Mr. MILLIS. If a person can legally purchase a gun, there is nothing to be done, if he has a good reputation. But the gun is supposed to be for his home protection.

Mr. APPELL. But he has to get a permit from you, I understand.

Mr. MILLIS. Yes, sir. It is home protection or self-defense, the way the law reads. It says he has to be of good reputation.

Mr. APPELL. But if he doesn't have a permit and did buy a weapon, then he is violating North Carolina law; is that true?

Mr. MILLIS. That is right.

Mr. APPELL. What determination has your department made that these men, who, according to Mr. Constantineau's records, did purchase hand weapons, have or have not obtained licenses or permits from your department?

Mr. MILLIS. I didn't have any knowledge of that. If he did that, he certainly violated the law.

Mr. WELTNER. The testimony on yesterday established that in June 1964, W. J. Chadwick purchased a .38 caliber Smith and Wesson revolver and I think in August 1964 he purchased a .32 caliber Smith and Wesson revolver.

Mr. MILLIS. Unless he had a permit to do it each time he violated the State law.

Mr. APPELL. Will your department, after we return these records to Mr. Constantineau, enforce the law with respect to those people who have purchased weapons and who have not obtained a permit from your department?

Mr. MILLIS. Yes, sir; yes, sir. If it is a violation of law we will do it.

Mr. APPELL. I have no further questions.

Mr. POOL. What criteria do you use in determining if a person is a law-abiding and good citizen?

Mr. MILLIS. One thing is to check his records, to see he has no record. If someone can vouch for him, with a good reputation who we have known for a period of years, if he can vouch for him.

Mr. POOL. If you determine this man is a Klansman, would you approve him the purchase of a gun?

Mr. MILLIS. If he was of good reputation, under the State law we couldn't deny it.

Mr. POOL. Even though he belonged to the Ku Klux Klan?

Mr. MILLIS. No, sir. If we have any right, I would like to stop them, if we have any right to do it.

The CHAIRMAN. Sheriff, you said very early in your testimony, I think referring to your second meeting in a motel, if I remember well, that someone was thrown out or expelled or not accepted, told to get out. Who was that?

Mr. MILLIS. It was Raymond Chadwick, I understand.

The CHAIRMAN. It is not this Chadwick we are talking about?

Mr. MILLIS. No, sir; not Warren Chadwick.

Mr. SENNER. I just have one more point, Mr. Chairman.

Sheriff, in view of the fact that the oath indicates that a Klansman would not tell any secret on another Klansman except treason, rape,

or malicious murder, any other crime committed by a Klansman of which that Klansman had personal knowledge and failed to report it to the police department, would you classify that individual as a person of good reputation?

Mr. MILLIS. Well, I don't think he would be a law-abiding citizen if he didn't cooperate with the law.

Mr. SENNER. Would you classify that person as a law-abiding citizen, who had failed to report any crime committed against the State of North Carolina except treason, rape, and malicious—

Mr. MILLIS. I have never read this oath, but you are bringing some points out now, and I believe if he stuck by this he would be a law-abiding citizen, he would be cooperating with what he ought to do as a citizen.

Mr. SENNER. If he knew a crime was committed in your county and failed to divulge it to you?

Mr. MILLIS. If he failed to report it, I don't think he would be a good or law-abiding citizen.

Mr. SENNER. You don't think he would be?

Mr. MILLIS. No, sir.

Mr. SENNER. Isn't it a fact that every Klansman, if they believe in their oath, would fail, based upon the oath, to disclose to you that a crime had been committed except in those categories that I mentioned?

Mr. MILLIS. If he stuck by that completely, and made it ironclad, he wouldn't be.

Mr. SENNER. In other words, a Klansman is not a law-abiding citizen; is that right?

Mr. MILLIS. At the time this thing was being administered, we had no intention of anything like this at all. The idea was to try to obtain information.

The CHAIRMAN. Mr. Reporter, you will, as usual, insert into the record at the appropriate points where they were offered and discussed the exhibits referred to.

The Chair would like to say this, Sheriff, that you appeared here without a lawyer and you submitted, I think, an editorial and two or three copies of letters of commendation. I think you are entitled to have them inserted in the record and they will be inserted at the point where you commented on them.

The committee wishes to thank you for the position you have taken before us, and for the cooperation you have given to the committee today.

Thank you very much. You are excused and discharged from your subpoena. However, before that, it is understood, is it, that the committee may send an investigator to see you and you will supply the information and material that you talked about during your testimony?

Mr. MILLIS. We will do that fully.

The CHAIRMAN. Thank you very much.

The committee will stand in recess until 2:45.

(Members present at time of recess: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan, of the subcommittee, and also Representative Senner.)

(Whereupon, at 1 p.m. Tuesday, October 26, 1965, the subcommittee recessed, to reconvene at 2:45 p.m. the same day.)

AFTERNOON SESSION—TUESDAY, OCTOBER 26, 1965

(The subcommittee reconvened at 2:55 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, and Weltner.)

The CHAIRMAN. The subcommittee will please come to order.

Call your next witness, Mr. Appell.

Mr. APPELL. Mr. Robert L. Reaves.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. REAVES. I do.

**TESTIMONY OF ROBERT LEE REAVES, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. Will you state your full name for the record, sir?

Mr. REAVES. Robert L. Reaves, Robert Lee Reaves.

Mr. APPELL. Will you speak into the microphone, please, sir?

Mr. REAVES. Robert L. Reaves.

Mr. APPELL. Are you appearing here this afternoon in accordance with the subpoena served upon you?

Mr. REAVES. I am.

Mr. APPELL. That was served at 5:50 o'clock p.m., on the 11th day of October 1965?

Mr. REAVES. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. REAVES. Yes, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Reaves, when and where were you born?

Mr. REAVES. I respectfully decline to answer this question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States.

Mr. APPELL. Mr. Reaves, what is your employment background?

Mr. REAVES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Reaves, under the conditions of the subpoena served upon you on October 11, you were commanded to bring with you and to produce items called for in the attachment to that subpoena which are set forth in two parts. I now read part 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Realm (State) of North Carolina, and Keystone Club in your possession, custody or control, or

maintained by you or available to you as Grand Kladd, Realm (State) of North Carolina, and as an officer of the Keystone Club of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I request that you produce those documents in accordance with that subpoena.

Mr. REAVES. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as commanded by the subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Buchanan entered the hearing room.)

The CHAIRMAN. Mr. Chalmers, I take it that the following stipulation along the lines already entered into is agreed upon, to wit: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Is that correct?

Mr. CHALMERS. Yes, sir. May I state while I am on my feet, Mr. Chairman, I conferred with counsel this morning, of the committee and, of course, I realize and I am certain each member of the committee realizes, that for them to have to repeat the same thing over each time after Mr. Appell makes the direction and you make the order, if the chairman in his wisdom and experience can help us solve that situation, I will be more than happy to trust his wisdom and his experience in this matter and his fairness to my clients, each of them, if we can start thinking along the same lines, because we have your direction and he will have to read it back, and then we have item 2, which will have to be read back, and Mr. Appell will have to go through his, my clients will have to go through his, the chairman will have to go through his.

(At this point Mr. Ashbrook entered the hearing room.)

The CHAIRMAN. I think the directions will be given, but from now on you can say that your client declines to produce for the reasons previously stated.

In the next paragraph I will order him to produce the documents on the basis of the previously entered into stipulation. We can shorten it that way.

Mr. CHALMERS. All right, sir.

The CHAIRMAN. I now order and direct you to produce those documents.

(Witness confers with counsel.)

Mr. REAVES. I decline to produce those documents for the reasons heretofore stated.

Mr. CHALMERS. May I ask counsel and the chairman, Are we all in accord?

The CHAIRMAN. We are.

Mr. APPELL. Mr. Reaves, part 2 of your subpoena reads as follows:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Kladd, Realm (State) of North Carolina, and as an officer of the Keystone Club of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask that you produce the documents called for in part 2.

(Witness confers with counsel.)

Mr. REAVES. I respectfully decline to produce those documents based on the grounds heretofore stated.

The CHAIRMAN. I take it that the same stipulation just entered into applies to this paragraph?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. For the reasons previously stated, I order and direct you to produce the documents.

(Witness confers with counsel.)

Mr. REAVES. I respectfully decline to produce those documents based on the grounds heretofore stated.

Mr. APPELL. Mr. Reaves, are you currently a member of the United Klans of America?

Mr. REAVES. I respectfully decline to answer that question for the reasons that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. What was his answer?

The CHAIRMAN. He declined.

Mr. POOL. On what ground?

The CHAIRMAN. The fifth amendment.

Mr. CHALMERS. It is the same.

Mr. POOL. Would you state your answer again?

Let him state his answer again.

Mr. REAVES. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Reaves, I put it to you as a fact, and ask you to affirm or deny the fact, that you have held the position of exalted cyclops, or president, of the Keystone Club, which is a Klan cover name of a Klavern in Henderson, North Carolina.

Mr. REAVES. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. Mr. Chairman, could we stipulate on that to save time?

The CHAIRMAN. That is up to his counsel.

Mr. APPELL. Mr. Reaves, the committee received in response to a subpoena duces tecum of the First National Bank of Henderson, North Carolina, an account maintained by that bank in the name of the Keystone Club, P.O. Box 1069, Henderson, North Carolina.

Together with the ledger cards and canceled checks, there was submitted certain signature cards, which is the authority of the bank to issue checks on any two and three signers listed on these cards. The first one I show you is dated September 11, 1964, which contains the names of R. L. Reaves, J. R. Hicks, B. W. Rivers.

I show you this card and put it to you as a fact, and ask you to affirm or deny the fact, that this is the official signature card and that the three names read to you were officers of that organization.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Reaves Exhibit No. 1" appears on p. 2009.)

(At this point Mr. Weltner left the hearing room.)

Mr. APPELL. I show you a second signature card which revised the first and was effective December 18, 1964, containing the signatures of Robert L. Reaves, James L. Ranes, and B. W. Rivers.

I hand you this card and put it to you as a fact, and ask you to affirm or deny the fact, that these three names, three individuals, were officers of the Keystone Club, a cover organization for the Klan.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Reaves Exhibit No. 2" appears on p. 2009.)

Mr. APPELL. I show you a third signature card dated July 9, 1965, for the Keystone [Club] Welfare Fund, containing the signatures "Robert L. Reaves," "James L. Ranes," and ask you, as of July—I put it to you as a fact, and ask you to affirm or deny the fact, that as of July 9, 1965, the two names appearing on the card were known to you as officers of the Keystone Club.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Reaves Exhibit No. 3" appears on p. 2010.)

Mr. APPELL. I hand you an application blank for the rental of Post Office Box 1069 which, according to the bank records, is the official mailing address of the Keystone Club.

I put it to you as a fact, and ask you to affirm or deny the fact, that Wayne Rivers, in making application for this post office box, did so for a Klan of the United Klans of America.

(Witness confers with counsel.)

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Reaves Exhibit No. 4" appears on p. 2010.)

ROBERT REAVES EXHIBIT No. 1

Keystone Club
 Chado to be Box 1069 Henderson
 signed by any ~~two~~ ^{one} of the three ~~below to sign~~
 FIRST NATIONAL BANK IN HENDERSON
 is hereby authorized to recognize only the signatures below in payment of funds or the transaction of any other business for the above joint account. We agree to the clause printed on the other side of this card, which forms a part of this contract.

AGREEMENT REGARDING JOINT ACCOUNT OPENED

We, the undersigned, hereby agree that all sums deposited at any time, including sums deposited prior to this date, in the FIRST NATIONAL BANK IN HENDERSON in the joint account of the undersigned shall be held by us as co-owners with the right of survivorship, regardless of whose funds are deposited in said account and regardless of who deposits the funds in said account. Either of us shall have the right to draw upon said account, without limit, and in case of the death of either of us the survivor shall be the sole owner of the entire account. This agreement is governed by the provisions of Section 41-21 of the General Statutes of North Carolina. Witness our hands and seals

Signed SEP 11 1961 day of 19

FIRST NATIONAL BANK R. L. Reaves SEAL } Joint Depositors
C. J. R. Hicks SEAL }
B. W. Rivers

ROBERT REAVES EXHIBIT No. 2

KEYSTONE CLUB
 : R. L. Reaves, B. W. Rivers, James Ranes

FIRST NATIONAL BANK IN HENDERSON

is hereby authorized to recognize only the signature (s) below in payment of funds or the transaction of any other business for the above account. I (we) agree to the clause printed on the other side of this card, which forms a part of this contract.

Sign: Robert L. Reaves
 Sign: James L. Ranes
 Sign: B. W. Rivers

Identified by: Revised Account opened by: Eula

Date DEC. 18 1964 Address:

ROBERT REAVES EXHIBIT NO. 3

Keystone Club Welfare Fund	
FIRST NATIONAL BANK IN HENDERSON	
is hereby authorized to recognize only the signature (s) below in payment of funds or the transaction of any other business for the above account. I (we) agree to the clause printed on the other side of this card, which forms a part of this contract.	
Sign:	Robert L. Reaves
Sign:	James L. Reaves
Sign:	
Identified by:	Account opened by: E. W. Winton
Date: JUL - 9 1966	Address: Box 1069 - Henderson -

ROBERT REAVES EXHIBIT NO. 4

P.O. Box 1069, Henderson, North Carolina 27536			
FOR POST OFFICE USE ONLY	POSTMASTER	DATE BOX OPENED 9-16-64	DATE BOX CLOSED 1069
APPLICANT PLEASE NOTE: Completion of this application signifies your willingness to comply with all postal rules relative to the renting and use of Post Office boxes.			
NAME OF APPLICANT (Print or type) Keystone Club			
NAME OF FIRM OR CORPORATION (If box is rented for use of either) Wayne Rivers			
KIND OF BUSINESS			
BUSINESS ADDRESS (No., street, and zone) 529 Rowland St. (87331)			
HOME ADDRESS (No., street, and zone) CITY			
SIGNATURE OF APPLICANT X Wayne Rivers		DATE OF APPLICATION 9-16-64	

Mr. APPELL. Mr. Chairman, for the purpose of establishing the Keystone Club as a club of the Klan, I desire to exhibit to Mr. Reaves at this time a check dated July 12, 1965, made payable to the "Alb Restcue [sic] Service" in the amount of \$36.50, with the rubber stamp appearing over the names of the cosigners, Keystone Club, Henderson, North Carolina, James L. Ranes, Robert L. Reaves, cosigners.

I put it to you as a fact, and ask you to affirm or deny the fact, that this check was forwarded to the Alabama Rescue Service as indicated by the endorsement that appears on the reverse thereof as payment of imperial tax by the Keystone Club.

(Document handed to witness.)

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Reaves Exhibit No. 5" appears on p. 2012.)

Mr. APPELL. For the same purpose, Mr. Chairman, I exhibit a check dated July 12, 1965, payable to J. R. Jones in the amount of \$18.25, with the rubber stamp above the cosigners' names of Keystone Club, Henderson, North Carolina, James L. Ranes, Robert L. Reaves, with the endorsement of J. R. Jones, which was deposited to the joint bank account of Mr. and Mrs. J. R. Jones.

(Document handed to witness.)

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Reaves Exhibit No. 6" appears on p. 2013.)

The CHAIRMAN. Did you know when you sent that check that Mr. and Mrs. Jones would deposit that money to their personal account instead of to the North Carolina Realm account?

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the First National Bank of Henderson, North Carolina, forwarded us copies of the debit items which appeared in their ledger records at the time the subpoena was served upon them.

As to checks dating back to 1964, the bank prepared from the Recordak copies maintained by the bank duplicates of checks drawn against the account of the Keystone Club. According to the records presented to the committee by the bank, certified copies of checks issued by the Keystone Club, a check was issued on June 9, 1965, to Sears, Roebuck & Company in the amount of \$85.98. The purpose for which drawn is shown as "Radios."

I exhibit this copy of a check to Mr. Reaves and ask Mr. Reaves if he knows it to be a true copy of a check which he cosigned.

(At this point Mr. Weltner returned to the hearing room.)

(Document handed to witness.)

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Reaves Exhibit No. 7" and retained in committee files.)

Mr. APPELL. Mr. Reaves, I desire to ask you, and I do ask you, whether or not the radios could have been, by any chance, citizens' band radios?

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

HENDERSON, N.C. July 12 1965 No. 86

FIRST NATIONAL BANK
IN HENDERSON

PAY TO THE ORDER OF Alb- Rextier Rescue \$ 36.00

FOR Thirty day DOLLARS

KEYSTONE CLUB
HENDERSON, N.C.

James L. Lages
Robert L. Henderson

66-142 512

66-18 24

PAY ANY BANK P.O. NO.
WACHOVIA BANK AND
TRUST CO.
CHARLOTTE, N.C.

CB 1249 AUG 23 65 100 000

THE FIRST NATIONAL BANK P.O. NO.

AUG 20 65 00 000

ROBERT REAVES EXHIBIT No. 6

HENDERSON, N.C. *July 12 1965* NO. *86*
 66-142
 512

FIRST NATIONAL BANK
 IN HENDERSON

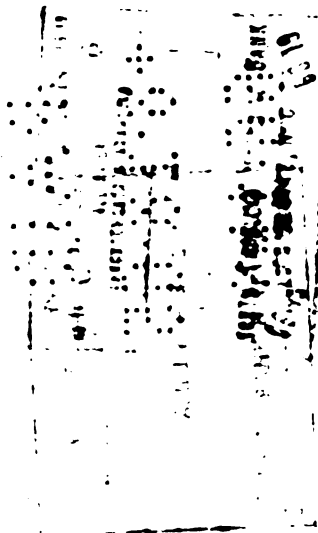
PAY TO THE ORDER OF *J. R. Janice* *31* *\$18.75* DOLLARS
Egyptian

FOR *James L. Roney*
Robert L. Henderson

KEYSTONE CLUB
 HENDERSON, N.C.

051201421

J. R. Janice



Mr. APPELL. Do you possess knowledge of the use of citizens band radios for the purpose of carrying out Klan activities in the State of North Carolina?

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Reaves, do you presently hold the position of grand kladd or conductor for the Realm of North Carolina, United Klans of America?

Mr. REAVES. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused and discharged from his subpena.

Call the next witness.

Mr. APPELL. Mr. Chairman, I would like to call as the next witness Charles Douglas Deese.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DEESE. I do.

TESTIMONY OF CHARLES DOUGLAS DEESE, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Would you state your full name for the record, please?

Mr. DEESE. Charles Douglas Deese.

Mr. APPELL. Would you spell your last name?

Mr. DEESE. D-e-e-s-e.

Mr. APPELL. Are you popularly known as Bud Deese?

Mr. DEESE. I respectfully decline to answer that question for the reason that I honestly feel that the answer might tend to incriminate me in violation of my rights guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. CHALMERS. Mr. Chairman, may I say this, sir: The subpena reads "Charles Bud Deese" and I will stipulate what the subpena shows.

The CHAIRMAN. All right. Thank you very much.

Mr. APPELL. When and where were you born, Mr. Deese?

Mr. DEESE. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4 and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chalmers, I do not think I have identified you. Are you represented by counsel?

Mr. DEESE. Yes, sir.

Mr. APPELL. Would counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Deese, would you give the committee your employment background?

Mr. DEESE. I respectfully decline to answer that question for reasons that I honestly feel that my answer might tend to incriminate

me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Deese, the subpoena served upon you at 11:15 o'clock a.m. on the 11th day of October 1965 commands you to bring with you and to produce before the committee:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Realm (State) of North Carolina, in your possession, custody or control, or maintained by you or available to you as a former officer, Realm (State) of North Carolina, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. DEESE. I respect—

Mr. APPELL. I ask you to produce those documents as called for in the subpoena.

Mr. DEESE. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as demanded by the committee in a subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Weltner left the hearing room.)

The CHAIRMAN. Mr. Chalmers, I take it that the stipulation made heretofore in the following form: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; and (2) that the direction of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Is that correct?

Mr. CHALMERS. It is so stipulated.

The CHAIRMAN. I take it that your client understands that the order I am about to make has the meaning that the committee does not agree with his right to invoke the privilege of the fifth amendment and that so far as we are concerned, from our point of view, he is subject to a contempt citation.

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I order and direct you to produce those documents.

(Witness confers with counsel.)

Mr. DEESE. I respectfully decline to produce those documents for the reasons heretofore given.

Mr. APPELL. Mr. Deese, the committee investigation established that on January 26, 1964, you were elected grand kligrapp, or secretary, of the Realm of North Carolina, United Klans of America.

I ask you whether you know if they possessed knowledge of your background at the time they elected you to the office of secretary for the Realm of North Carolina, or kligrapp of the realm.

Mr. DEESE. I respectfully decline to answer that question based upon grounds previously stated.

The CHAIRMAN. While the questions are perfectly obvious, I will point out in my opening statement I said that one of the subjects to be inquired into would be the type of people in position of leadership in Klan organizations.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

Mr. ASHBROOK. Mr. Witness, have you at any time received admonishment from the Grand Dragon, Mr. Jones, of your State, as to violence, as to any of the matters which brought you into contact with the police, which meant charges against you?

At any time, has there been any efforts to admonish you about this type of contact?

Mr. DEESE. I respectfully decline to answer that question based upon grounds previously stated.

The CHAIRMAN. The witness is excused and discharged from the subpena.

Call your next witness.

Mr. APPELL. Mr. Chairman, I would like to call Robert Hudgins.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUDGINS. I do.

TESTIMONY OF ROBERT EUGENE HUDGINS, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Would you state your full name for the record, please, sir?

Mr. HUDGINS. Robert E. Hudgins.

Mr. APPELL. Are you appearing here today in accordance with a subpena served upon you at 4:30 p.m., on the 11th day of October, 1965, at Cary, North Carolina?

Mr. HUDGINS. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. HUDGINS. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record, please?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Hudgins, when and where were you born?

Mr. HUDGINS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. How in the world could a disclosure of when and where you were born incriminate you?

Mr. HUDGINS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Do you understand that the only justification for invoking the privilege of the fifth amendment is an honest belief on the part of the person invoking it that a truthful answer might incriminate him?

Mr. HUDGINS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Hudgins, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on August 2, 1933, in Vance County, North Carolina.

Mr. HUDGINS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Will you set forth your employment background?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Are you still a salesman for Southern Foods, Inc., Greensboro, North Carolina?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Hudgins, under the provisions of the subpoena served upon you on October 11, 1965, you were commanded to bring with you and to produce before the committee items contained on an attachment which was made a part of the subpoena.

Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Realm (State) of North Carolina, Capital City Restoration Association, Province #4, Realm (State) of North Carolina, in your possession, custody or control, or maintained by you or available to you as Imperial Kladd—

The CHAIRMAN. What is a Kladd again?

Mr. APPELL. Conductor.

—United Klans of America, Inc., Knights of the Ku Klux Klan, Grand Titan, Province #4, Realm (State) of North Carolina, and as an officer of the Capital City Restoration Association of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce the documents called for in part 1 of the subpoena.

Mr. HUDGINS. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legisla-

tion, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents and records as commanded by the committee in a subpoena dated October 11, 1965, for the reason that I honestly feel that to do so, the same might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. CHALMERS. Mr. Chairman, the same stipulation that you have heretofore read we stipulate to.

The CHAIRMAN. Each witness must contain at least one reading.

The stipulation reads as follows: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

That stipulation is made?

Mr. CHALMERS. It is so stipulated; yes, sir.

Mr. CHAIRMAN. I order and direct you to produce those documents, which means that we do not agree this time that you have a right to invoke the fifth amendment, and, therefore, that you may be subjected to the citation for contempt.

(Witness confers with counsel.)

Mr. HUDGINS. I respectfully decline to deliver the documents for the reasons heretofore stated.

The CHAIRMAN. I meant to say it was rejected for all the grounds indicated in your opening statement.

Do you understand that?

Mr. CHALMERS. Yes, sir; I think the Chairman and myself understand very clearly.

Mr. APPELL. Mr. Hudgins, part 2 of the subpoena calls upon you to bring with you and to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Imperial Kladd, United Klans of America, Inc., Knights of the Ku Klux Klan, Grand Titan, Province #4, Realm (State) of North Carolina, and as an officer of the Capital City Restoration Association of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you, and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

(Witness confers with counsel.)

Mr. HUDGINS. I decline to produce those records and documents based upon the grounds heretofore stated.

The CHAIRMAN. And the same stipulation we just made applies?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Therefore, I order and direct you to produce those documents.

Mr. HUDGINS. I respectfully refuse to produce those records and documents based upon the grounds heretofore stated.

Mr. APPELL. Mr. Hudgins, are you presently a member of the Ku Klux Klan?

Mr. HUDGINS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Hudgins, I hand you a copy of an application for a Post Office Box, No. 10484. The application reads: "Name of applicant, Robert E. Hudgins; name of firm or corporation, Capital City Restoration Association; kind of business, Civic and Fraternal Organization; business address, Same; home address, 411 Dorothy Drive, Cary, North Carolina." It is signed Robert E. Hudgins.

I hand you this document and put it to you as a fact, and ask you to affirm or deny the fact, that it is your signature that is contained on that application.

(Witness confers with counsel.)

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Hudgins Exhibit No. 1" follows:)

ROBERT HUDGINS EXHIBIT NO. 1

FOR POST OFFICE USE ONLY	POSTMASTER	DATE BOX OPENED	DATE BOX CLOSED	BOX NO.
	RK	7-10-64		10484

APPLICANT PLEASE NOTE: Completion of this application signifies your willingness to comply with all postal rules relative to the renting and use of Post Office boxes.

NAME OF APPLICANT (Print or type)	License #
Robert E. Hudgins	NC 645830
NAME OF FIRM OR CORPORATION (If box is rented for use of either)	(RK)
Capital City Restoration Association	
KIND OF BUSINESS	
Civic and Fraternal organization	
BUSINESS ADDRESS (No., street, and zone)	
Same	
HOME ADDRESS (No., street, and zone)	
411 Dorothy Dr. Cary, N.C.	
SIGNATURE OF APPLICANT	DATE OF APPLICATION
X Robert E. Hudgins	7-10-64

The CHAIRMAN. What does the Capital City Restoration Association restore?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. How can a restoration association be a civic and fraternal organization?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Isn't the Capital City Restoration Association simply a front or a cover name for a Klavern or a Klan unit?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Why do you have to resort to adopting phony names for a Klan organization if it is a valid civic and fraternal organization?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Chairman?

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. To refresh my memory, am I correct in thinking that the grand titan is the leader of the subdivision within the realm known as a province, which coincides with a congressional district?

The CHAIRMAN. He is the Imperial Kladd.

Mr. WELTNER. I note in the subpoena duces tecum this witness was required to produce certain records of Province No. 4 in North Carolina. I notice that the Province 4 coincides with the congressional district, does it not?

Mr. APPELL. A province, sir?

Mr. WELTNER. What is the investigator's information as to the geographical extent of Province No. 4 for North Carolina?

Mr. APPELL. I have not looked up the boundaries of that district, sir.

The CHAIRMAN. It is in the record as an exhibit on the first day of the hearing.

Mr. APPELL. Yes, sir. And again, to straighten the record out, the staff might have made an error in drafting the subpoena. I think it is a typographical error. I think it should have read Province 5 instead of Province 4, sir.

Mr. WELTNER. Is it the committee's information that this witness is the grand titan of a province within the Realm of North Carolina of UKA?

Mr. APPELL. Yes, sir.

Mr. WELTNER. In addition to being Imperial Kladd and grand kladd?

Mr. APPELL. Not the grand kladd.

Mr. WELTNER. Imperial Kladd?

Mr. APPELL. Yes, sir.

Mr. WELTNER. That is the title?

Mr. APPELL. Yes, sir.

The CHAIRMAN. Will counsel stipulate that that should be Province 5 instead of Province 4 in the subpoena?

Mr. CHALMERS. If it is within my province to stipulate. I have no knowledge, Mr. Chairman. I imagine sometime the chairman will take a recess this afternoon and we can discuss that.

The CHAIRMAN. All right. We will take a recess for 5 minutes.

(Whereupon, at 3:50 p.m., the subcommittee recessed and reconvened at 3:59 p.m., all subcommittee members being present at time of recess and when hearings resumed.)

The CHAIRMAN. The subcommittee will please come to order.

The Chair states that during the recess the committee checked its files and found out that the subpoena properly describes the geographical territory involved.

Therefore, no stipulation is necessary.

Proceed.

Mr. APPELL. Mr. Hudgins, the committee obtained through a subpoena duces tecum from the Wachovia Bank and Trust Company, Raleigh, North Carolina, the records relating to a checking account for the Capital City Restoration Association, P.O. Box 10484, Raleigh, North Carolina.

I hand you one of the documents presented by the bank which shows that the account was opened on 7-10-64 in the name of the Capital City Restoration Association, and that the authorized signatures to this account, with both signatures required on checks, are Harold Gunter and Robert E. Hudgins.

I put it to you as a fact, and ask you to affirm or deny this fact, that the signature contained on the signature card is your signature. (Witness confers with counsel.)

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Hudgins Exhibit No. 2" follows:)

ROBERT HUDGINS EXHIBIT NO. 2

ACCOUNT NAME	Capital City Restoration Assoc.		DATE	7-10-64	BANK OF AMERICA CHECKING SPECIMEN
				(sm)	
ACCOUNT NUMBER	6-021-165	S. S. No.			
SIGNATURES	<i>Harold Gunter</i> <i>Robert E. Hudgins</i>		<i>Both</i> <i>Signatures</i> <i>Required</i>		NORTH BOULEVARD OFFICE
MAIL ADDRESS	P. O. Box 10484, Raleigh, N. C.				
BUSINESS AND ADDRESS	Same		CITY STATE		
FORMER BANK OR REFERENCES	Wachovia				
<small>THIS ACCOUNT IS ACCEPTED BY WACHOVIA BANK AND TRUST COMPANY SUBJECT TO THE PROVISIONS STATED ON THE REVERSE SIDE OF THIS CARD. ABOVE ARE THE DULY AUTHORIZED SIGNATURES WHICH THE BANK WILL RECOGNIZE IN THE PAYMENT OF FUNDS OR THE TRANSACTION OF OTHER BUSINESS.</small>					

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Harold Gunter was the treasurer or klabeer of the Capital City Restoration Association.

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a signature card dated 2-16-65 containing the signatures Robert E. Hudgins and Joseph G. Marshburn, and I put it to you as a fact, and ask you to affirm or deny the fact, that Joseph G. Marshburn replaced Harold Gunter as treasurer or klabee of the Capital City Restoration Association.

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Hudgins Exhibit No. 3" follows:)

ROBERT HUDGINS EXHIBIT No. 3

ACCOUNT NAME CAPITAL CITY RESTORATION ASSOC		<input checked="" type="checkbox"/> SAVINGS		<input type="checkbox"/> REG. CHECKING	
DATE 2-16-65		<input type="checkbox"/> CUSTOM		<input type="checkbox"/> SPECIAL	
ACCOUNT NUMBER 6-021-165		S. S. No.			
SIGNATURES Robert E. Hudgins					
Joseph G. Marshburn					
MAIL ADDRESS P. O. Box 10284, Raleigh, N. C.					
BUSINESS AND ADDRESS		STREET AND NUMBER	CITY	STATE	ZIP CODE
FORMER BANK OR REFERENCES					
THIS ACCOUNT IS ACCEPTED BY WACHOVIA BANK AND TRUST COMPANY SUBJECT TO THE PROVISIONS STATED ON THE REVERSE SIDE OF THIS CARD. ABOVE ARE THE DULY AUTHORIZED SIGNATURES WHICH THE BANK WILL RECOGNIZE IN THE PAYMENT OF FUNDS OR THE TRANSACTION OF OTHER BUSINESS.					
772 REV. 7-64					

Mr. APPELL. Mr. Chairman, I would like to read into the record a letter dated February 16, 1965, addressed to the Wachovia Bank and Trust Company, Raleigh, North Carolina.

(The following letter marked "Robert Hudgins Exhibit No. 4" was then read by Mr. Appell:)

ROBERT HUDGINS EXHIBIT NO. 4

5-12-1965
1965

First National Bank and Trust Company
Charlotte, North Carolina

Attention:

This is to advise that Thomas E. Nichols
has succeeded Joseph G. Marshburn as
treasurer of the Capital City Ku Klux Klan.
This change is to be effective May 12, 1965 and the
signature of Joseph G. Marshburn is to be
no longer authorized after that date.

You are authorized to honor and charge to this account
checks signed by Thomas E. Nichols
effective the above date of change. This authorization is to
remain in effect until revoked in writing.

Yours very truly,

Robert Hudgins
Signature

Treasurer
Title

(Document handed to witness.)

The CHAIRMAN. Is there a question?

Mr. APPELL. No question, sir. I just desired to read it into the record.

Mr. Hudgins, I ask you on the date effective May 12, 1965, if Thomas E. Nichols replaced Joseph—I put it to you as a fact, and ask you to affirm or deny the fact, that Thomas E. Nichols replaced Joseph G. Marshburn as treasurer or klabeer of the Capital City Ku Klux Klan Association.

Mr. HUDGINS. I respectfully decline to answer upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that as of the date of May 12, 1965, Willie E. Norris was secretary or kligrapp of the Capital City Restoration Association.

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I desire to read into the record a letter dated May 12, 1965, addressed to the Wachovia Bank and Trust Company, Raleigh, North Carolina.

(The following letter, marked "Robert Hudgins Exhibit No. 5," was read by Mr. Appell:)

ROBERT HUDGINS EXHIBIT NO. 5

May 12, 1965
Date

LHP
5/14/65

Wachovia Bank and Trust Company
Raleigh
North Carolina

Gentlemen:

This is to advise that Thomas E. Nichols
has succeeded J. Joseph G. Marshburn
Treasurer of Capital City Restoration Association
This change is to be effective May 1, 1965 and the
signature of Joseph G. Marshburn is to be
no longer authorized after that date.

You are authorized to honor and charge to this account
checks signed by Thomas E. Nichols
effective the above date of change. This authorization is to
remain in effect until revoked in writing.

Yours very truly,

Willie E. Norris
Signature

Secretary
Title

SE/ME

New address for mailing statement

Mr. APPELL. Mr. Hudgins, I put it to you as a fact, and ask you to affirm or deny the fact, that you were elected Imperial Kladd of the United Klans of America, Inc., Knights of the Ku Klux Klan, at a klonvokation held in Birmingham, Alabama, on September 5-6, 1964.

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Wayne Shaver, of North Carolina, was a member of the nominating committee which nominated you to office.

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Hudgins, did there build up within the Realm of North Carolina a disagreement between you and Marshall Kornegay over the conduct of affairs of the Realm of North Carolina?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Wasn't Mr. Kornegay going around the State making derogatory statements against you to members of Klaverns which you served?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, for the purpose of establishing the fact that the Capital City Restoration Association is a Klavern of the United Klans of America, I hand Mr. Hudgins two checks, one dated July 21, 1965, in the amount of \$7.25; one dated August 5, 1965, in the amount of \$7.75. Both checks are imprinted checks of the Capital City Restoration Association. They are both payable to J. R. Jones. They both show—on the July check that it is June tax, on the August check that it is July tax, and they both contain the signature of Mr. Hudgins.

I put it to you as a fact, and ask you to affirm or deny the fact, that these checks were paid to J. R. Jones for the per capita assessment against the membership of the Capital City Restoration Association, a Klan within the Realm of North Carolina.

(Witness confers with counsel.)

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Robert Hudgins Exhibits Nos. 6-A and 6-B," respectively.)

Mr. APPELL. For the same purpose, Mr. Chairman, I hand to the witness only one of many checks. This is a check dated July 21, 1965, an imprinted check of the Capital City Restoration Association, payable to the Alabama Rescue Service, in the amount of \$14.50, the purpose for which drawn is June tax. The signature of Robert E. Hudgins appears thereon.

I put it to you as a fact, and ask you to affirm or deny the fact, that this check was drawn to pay the imperial tax of the Capital City Restoration Association, a Klan of the United Klans of America.

(Witness confers with counsel.)

(Document marked "Robert Hudgins Exhibit No. 7." Exhibits 6-A, 6-B, and 7 follow:)

ROBERT HUDGINS EXHIBIT No. 6-A

NO. 51
7-21 19 65 86,763 512

PAY TO THE ORDER OF L. P. Jones **POSTED** \$ 7.25

Seven and 25/100 DOLLARS

FOR June tax

WACHOVIA BANK AND TRUST COMPANY
RALEIGH, NORTH CAROLINA

AUG 3 0 1965 CAPITAL CITY RESTORATION ASSOC.
WACHOVIA BANK AND TRUST COMPANY
Robert E. Hudgins
Willie E. Harris

⑆0512⑉0763⑆ ⑆0000000725⑆

ROBERT HUDGINS EXHIBIT No. 6-B

NO. 53
8-5 19 65 86,763 512

PAY TO THE ORDER OF J. P. Jones **POSTED** \$ 7.25

Seven and 75/100 DOLLARS

FOR July tax

WACHOVIA BANK AND TRUST COMPANY
RALEIGH, NORTH CAROLINA

AUG 3 0 1965 CAPITAL CITY RESTORATION ASSOC.
WACHOVIA BANK AND TRUST COMPANY
Robert E. Hudgins

⑆0512⑉0763⑆ ⑆0000000775⑆

ROBERT HUDGINS EXHIBIT No. 7

NO. 50
7-21 19 65 86,763 512

PAY TO THE ORDER OF Alabama Rescue Service \$ 14.50

Fourteen and 50/100 DOLLARS

FOR June tax

WACHOVIA BANK AND TRUST COMPANY
RALEIGH, NORTH CAROLINA

AUG 16 1965 CAPITAL CITY RESTORATION ASSOC.
WACHOVIA BANK AND TRUST COMPANY
Robert E. Hudgins
Willie E. Harris

⑆0512⑉0763⑆ ⑆0000001450⑆

The CHAIRMAN. This is a disbursement to the North Carolina Realm?

Mr. APPELL. The last check was to the imperial. The earlier checks were to the state.

Mr. HUDGINS, are you the holder of an ATU gun license?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. By ATU, do you mean Alcohol Tax Unit?

Mr. APPELL. Yes, sir. They administer and enforce the Federal Firearms Act.

Mr. WELTNER. That is a license issued by the Treasury Department of the United States Government?

Mr. APPELL. Yes, sir.

(At this point Mr. Ashbrook left the hearing room.)

Mr. APPELL. I hand you a copy of an application for license (Federal Firearms Act), dated June 8, 1964, signed Robert E. Hudgins. I ask you if you executed this document?

(Witness confers with counsel.)

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Hudgins Exhibit No. 8" appears on p. 2030.)

(At this point Mr. Ashbrook returned to the hearing room.)

Mr. APPELL. Do you maintain adequate records as required by the law for the sale of weapons?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Are you a source of supply of weapons to Klansmen or to the general public?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The address on this document, 411 Dorothy Drive, is that your residence, and does it also contain a gunshop?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Have your records of sales been examined by the Alcohol Tax Unit within the last 3 months?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Hudgins, on August 14, 1964, a cross was burned on the lawn of the Governor's mansion, then occupied by Governor Terry Sanford.

Do you possess any knowledge of that cross-burning?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Were you interviewed by agents of the State Bureau of Investigation as to whether or not you did participate in the cross-burning?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you disavow any connection with the Ku Klux Klan—

Mr. HUDGINS. Would you repeat the question?

ROBERT HUDGINS EXHIBIT NO. 8

1.00 - 56-3528 - 1989 FORM 7 (Firearms) (REV. MAY 1962)		U. S. TREASURY DEPARTMENT - INTERNAL REVENUE SERVICE APPLICATION FOR LICENSE (Federal Firearms Act) (See Instructions on reverse)		1. Check which <input type="checkbox"/> Renewal <input checked="" type="checkbox"/> Initial
TO: District Director of Internal Revenue, Robert E. Hudgins				
2. Name of applicant (Print) (If partnership, furnish name of each partner) Robert E. Hudgins		2a. Employer Identification No. (if any) or individual Social Security No. if not an employer 246-40-6946		
3. Trade name 411 Dorothy Drive Cary, North Carolina				
4. Business address (No. and street, city, county, State) 411 Dorothy Drive Cary, North Carolina				
5. Home address (No. and street, city, county, State) (If a partnership, indicate address of each partner. If a corporation, indicate address of principal place of business)				
6. Are you presently engaged in the business of manufacturing, importing or dealing in Firearms?		Check appropriate box or boxes <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
7. If you are not presently engaged in the Firearms business, give approximate date of starting in business		Date July 1st, 1964		
8. Type of business conducted, to be conducted		<input type="checkbox"/> Importer <input type="checkbox"/> Exporter <input type="checkbox"/> Manufacturer <input checked="" type="checkbox"/> Gunsmith <input type="checkbox"/> Wholesale dealer <input type="checkbox"/> Retail dealer		
9. Type of license applied for		<input type="checkbox"/> \$25.00 - Manufacturer (including importer) <input checked="" type="checkbox"/> \$1.00 - Dealer (including exporter, wholesale or retail dealer, and gunsmith)		
10. Remittance submitted by (make remittance payable to TREASURER OF THE UNITED STATES)		<input checked="" type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Money order		
11. Do you have a State or local license to engage in the Firearms business? If answered "Yes," state type, serial number, and under what jurisdiction issued; if answered "No," check appropriate box below: <input checked="" type="checkbox"/> NOT REQUIRED <input type="checkbox"/> APPLICATION SUBMITTED <input type="checkbox"/> APPLICATION HELD PENDING ISSUANCE OF FEDERAL LICENSE <input type="checkbox"/> OTHER (Explain in a separate attachment)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Type Serial No. Jurisdiction		
12. Are you registered as a manufacturer or dealer in Firearms under the National Firearms Act? (United States Code, Title 26, Chapter 53)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Class Occupational Tax Stamp No.		
13. Are you registered as an Importer or Exporter of arms under regulations issued by the Department of State (Part 122 of Title 22, Code of Federal Regulations)?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Registry No. Date of issuance		
14. Have you ever had any Permit or License to engage in the Firearms business denied, suspended, or revoked by Federal, State or local authorities?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
The undersigned hereby applies for a license under the Federal Firearms Act (15 USC 903) to transport, ship, and receive firearms and ammunition in interstate and foreign commerce and states as follows: The applicant is not a fugitive from justice as defined in Title 18 USC 901(6) and is not under indictment for, and has never been convicted of a crime punishable by imprisonment for a term exceeding one year.				
I declare that the above statements are true and correct. (Any person***who makes any statement in applying for the license**provided for in this Act, knowing such statement to be false, shall upon conviction thereof, be fined not more than \$2,000 or imprisoned for not more than five years, or both (15 USC 905).)				
15. Date of application 6-8-64	16. Signature Robert E. Hudgins	17. Title (State whether individual owner, member of firm, or officer of corporation) individual owner		

Mr. APPELL. Did you in an interview by Senior Agent H. Starling, of the State Bureau of Investigation, deny or disavow any connection with the Ku Klux Klan?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know Clyde Webster?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Were you questioned as to whether or not Clyde Webster assisted you in the burning of that cross?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. On the 23d of February 1965 in front of the Reverend Frank Hutchins' home, 913 South East Street, Raleigh, a cross was burned.

Do you possess any knowledge of the burning of that cross in front of the residence of the Reverend Frank Hutchins, who was Pastor of the East Davies Street Presbyterian Church?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Hudgins, other than aside from the fact that you have a gun license, do you personally own an M-1 carbine, two .303 British Enfield rifles, two shotguns, a 12-gauge and a 20-gauge, and a .38 caliber Smith and Wesson revolver?

Do you own them, sir?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Hudgins, there has been much information placed into this record about the maintenance of a security guard by the United Klans of America. I put it to you as a fact, and ask you to affirm or deny the fact, that prior to the adoption of the Constitution and Laws in September 1964, the United Klans of America was organized along military lines with the Imperial Wizard being the commander in chief.

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. On February 21, 1965, at a State meeting, at the same time you were reelected titan of Province No. 4, were you appointed a lieutenant colonel in the State security guard?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Would you permit me to ask a question?

I see from the report on which Mr. Appell questioned you awhile ago—and this may be repetitious but I want to ask a question—the report indicates you had an M-1 carbine, two .303 British rifles, two shotguns, a 12-gauge and a 20-gauge, a .30 caliber Smith and Wesson revolver, and various tear gas pens.

Do you use these guns or any of them for Klan activities?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Do you use these various tear gas pens as described in this document for Klan activities?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Hudgins, we have observed during our investigation that at times members of the security guard do carry arms.

Do they purchase these arms through you or do you obtain them—well, let me ask that question first.

Do they purchase them through you?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The committee's information was that you were employed by General Foods, yet you are the holder of an ATU gun license.

Did you apply for a gun license in order to facilitate Klansmen getting arms more easily than going through any non-Klan gun-licensed dealer?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. And according to our records, he is the Imperial Kladd?

Mr. APPELL. Yes, sir.

The CHAIRMAN. And what position does he hold in the realm or the state level?

Mr. APPELL. Titan is the man in charge of the Klans within a congressional district.

In Greensboro and Snow Hill, North Carolina, during the months of May and June 1963, there was picketing of the McDonald hamburger stand in Greensboro, several theaters, and the S & W cafeteria.

Did you, Clyde Webster, George Dorsett, and others take an active part, as an officer of the Klan, in these demonstrations?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Hudgins, during the interrogation of Mr. Kornegay, we discussed the hospital-surgical policies that were issued in the name of the Capital City Restoration Association and affiliated groups.

When that plan was being presented in the fall of 1964, did you participate in the formation of the plan whereby it became known as the Capital City Restoration Association and Affiliated Groups Policy?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. It is the committee's information gained during the investigation that a portion of the first month's premium was to go back to the Klavern and a portion go towards the payment of expenses of Grand Dragon Jones.

According to the report of commissions paid to Mr. Kornegay, he received commissions in the amount of \$3,562.74.

I ask you what amount of those commissions which he received went to Mr. Jones or to any of the Klaverns, including the Capital City Restoration Association?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. An examination of the applications showed that some affiliated organizations in this program were the Harnett County Improvement Association, New Hanover County Improvement Association, Town & Country Sportsmens Club, Warren County Improvement Association, Halifax County Sportsmens Club, Unit No. 55, Unit No. 23, Unit No. 38, Limestone Fishing Club, and the Keystone Fishing Club.

I put it to you as a fact, and ask you to affirm or deny the fact, that the only affiliation between these names and the Capital City Restoration Association is the fact that each and every one, including the Capital City Restoration Association, is a Klan group in areas distributed throughout the State of North Carolina.

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the majority of the applicants for insurance who signed their unit name to be the Capital City Restoration Association were not and had never been members of the Capital City Restoration Association as an entity, and I ask you to affirm or deny that statement of fact.

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Hudgins, the committee has information that you are the holder of a citizens band radio license. Is that information correct?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Would you advise the committee what use is made of citizens band radios in the carrying out of actions and activities of the Ku Klux Klan in the Realm of North Carolina?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. As a matter of fact, Mr. Hudgins, you hold two licenses, one KKK 7906, and the other KGH 280. I put it to you as a fact, and ask you to affirm or deny the fact, that they are your call numbers assigned you under your application?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Hudgins, were you responsible for organizing in the Raleigh, North Carolina, area, a very exclusive unit of the Klan which is known by the designation of No. 100?

Mr. HUDGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask this witness.

Mr. WELTNER. What is the staff's information concerning the nature of this exclusive Klan organization known as 100?

Mr. APPELL. It is the committee's information that this exclusive unit was one whereby the membership of it would be permitted to

visit any Klavern within the State of North Carolina, but that no member not a member of that Klavern could visit Klavern No. 100.

It is a tight security Klavern.

Mr. WELTNER. Thank you.

The CHAIRMAN. Are there any other questions from the committee?

If not, the witness is excused and is released from his subpoena.

The committee will stand in recess until 10 o'clock tomorrow morning.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan.)

(Whereupon, at 4:33 p.m., Tuesday, October 26, 1965, the subcommittee recessed, to reconvene at 10 a.m., Wednesday, October 27, 1965.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 2

WEDNESDAY, OCTOBER 27, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Joe R. Pool presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Pool, Weltner, and Ashbrook.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

Mr. POOL. The subcommittee will come to order.

For the information of the press, Mr. Willis will not be here today and I am presiding in his place.

Mr. Appell, will you call your next witness?

Mr. APPELL. George Franklin Dorsett.

Mr. POOL. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DORSETT. I affirm.

Mr. POOL. Do you solemnly affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, you so affirm?

Mr. DORSETT. I do.

TESTIMONY OF GEORGE FRANKLIN DORSETT, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. POOL. Go ahead, Mr. Appell.

Mr. APPELL. Would you state your full name for the record, please, sir?

Mr. DORSETT. George F. Dorsett.

Mr. APPELL. Are you appearing before the committee this morning in accordance with a subpoena served upon you at 1 o'clock p.m. on the 15th day of October 1965 by Deputy Marshal Crems?

Mr. DORSETT. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. DORSETT. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Dorsett, when and where were you born?

Mr. DORSETT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Were you born 48 years ago in St. Louis, Missouri?

Mr. DORSETT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Would you give the committee a résumé of your educational background?

Mr. DORSETT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Isn't it a fact that if we use today's terminology, you would be known as a dropout?

Mr. DORSETT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Would you give the committee a complete résumé of your employment background?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Isn't it a fact that your principal background, employment background, is that of a house painter?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dorsett, the subpoena served upon you commanded you to bring with you and to produce before said committee items called for in two paragraphs. Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Realm (State) of North Carolina, Province # 5, Realm (State) of North Carolina, in your possession, custody or control, or maintained by you or available to you as Imperial Kludd (Chaplain) United Klans of America, Inc., Knights of the Ku Klux Klan, Grand Titan, Province # 5, Realm (State) of North Carolina, and as an employee of Realm (State) of North Carolina of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce the documents called for by paragraph 1 of the subpoena.

Mr. DORSETT. I respectfully decline to deliver to the committee any and all records as requested by this committee under the subpoena dated October 15, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 15, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chariman, I ask that the witness be directed to produce the documents.

Mr. POOL. Mr. Chalmers?

Mr. CHALMERS. Mr. Chairman, I think the stipulations that have heretofore been entered with respect to the chairman's order we can make with respect to this witness also.

Mr. POOL. I will read the stipulation: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Is that the stipulation?

Mr. CHALMERS. Yes, sir; that is the same one we have heretofore entered. That is stipulated with respect to this witness also.

Mr. POOL. And you agree to it?

Mr. CHALMERS. Yes.

Mr. POOL. Mr. Dorsett, I direct you to produce the records called for in paragraph 1 of the subpoena.

Mr. DORSETT. I respectfully decline to deliver to this committee any and all records as requested by this committee under the subpoena dated October 15, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 15, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in the violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. Your objection is overruled.

Do you care to make any further answer?

(Witness confers with counsel.)

Mr. POOL. Proceed, Mr. Appell.

MR. APPELL. Mr. Dorsett, under part 2 of the subpoena, you are commanded to bring with you and to produce the documents described as follows:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Imperial Kludd (Chaplain) United Klans of America, Inc., Knights of the Ku Klux Klan, Grand Titan, Province #5, Realm (State) of North Carolina, and as an employee of Realm (State) of North Carolina, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents called for by your subpoena.

MR. DORSETT. I respectfully decline to deliver to the committee any and all records requested by the committee under the subpoena dated October 15, 1965, based on the grounds heretofore stated.

MR. POOL. Mr. Chalmers, the same stipulation that I read a while ago is agreeable for this particular paragraph?

MR. CHALMERS. Yes, sir.

MR. APPELL. Mr. Chairman, I ask for a demand for the production.

MR. POOL. Mr. Dorsett, I direct you to produce the books, records, and documents and other items called for under paragraph 2 of the subpoena.

(Witness confers with counsel.)

MR. DORSETT. I respectfully decline to produce the documents requested based on the grounds heretofore stated.

MR. POOL. Your objection is overruled. If you don't care to make any further statement, we will proceed.

MR. APPELL. Mr. Dorsett, when did you first become a member of the Ku Klux Klan?

MR. DORSETT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

MR. APPELL. Wasn't your first Klan affiliation with a Klan group known as the North Carolina Knights of the Ku Klux Klan which was headed in 1958 by James W. "Catfish" Cole?

MR. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that as a member of that organization you were the grand kludd or chaplain.

MR. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Mr. Dorsett, on January 18, 1958, the North Carolina Knights of the Ku Klux Klan scheduled a rally at Maxton, North Carolina, in spite of warnings by the local sheriff that he lacked the manpower to put down a riot should one occur.

On the night of the rally, an estimated 50 to 75 Klansmen gathered around Grand Wizard Cole carrying shotguns, rifles, and pistols. Before the rally started, an estimated 1000 Lumbee Indians gathered along the edge of the highway, charged the unrobed Klansmen, and the rally did, in fact, turn into a riot.

Were you one of the 50 to 75 Klansmen armed at that rally?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. As a result of the riot on April 8, 1959, Grand Wizard Cole was committed to jail in Lumberton, North Carolina, to begin serving an 18-to-24 month term for inciting the riot.

During the imprisonment of Grand Wizard Cole, did you take over as the acting leader of the North Carolina Knights of the Ku Klux Klan?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dorsett, prior to the North Carolina Knights' encounter with the Lumbee Indians, many of the Klans or Klaverns of the North Carolina Knights had deserted that organization and affiliated with the U.S. Klans.

Did you, in March 1960, acting as head of this organization, the North Carolina Knights of the Ku Klux Klan, attempt to win back to affiliation with the North Carolina Knights those Klans or Klaverns which had been lost to the other group?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. When the North Carolina Knights of the Ku Klux Klan folded, is it a fact that Imperial Wizard Edwards, because of the knowledge he possessed of you, denied you membership in the U.S. Klans?

Mr. DORSETT. I respectfully decline to answer that question based upon grounds previously stated.

Mr. APPELL. With the breakup of the U.S. Klans following the death of Imperial Wizard Edwards, there was formed the United Klans of America growing out of a splinter of the old U.S. Klans. Did you then become affiliated with the United Klans of America?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you become exalted cyclops of a United Klans Klavern in Greensboro, North Carolina?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in Greensboro, North Carolina, today there is a Klan group, or Klavern, known as the Pinedale Saddle Club No. 10, whose officers are Jesse M. Swain and Milton Henderson?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. What was the name of that organization?

Mr. APPELL. Pinedale Saddle Club No. 10.

Mr. WELTNER. Is that the major Klavern in the area in the United Klans of America within Greensboro County?

Mr. APPELL. One of them, sir.

Mr. WELTNER. How many Klaverns are there in Greensboro County, North Carolina?

Mr. APPELL. According to our information, that is in Guilford County. There is the Pinedale Saddle Club, Travelers Auxiliary No. 10, and The Travelers Club.

Mr. WELTNER. And each one of those is a Klavern of the United Klans of America in Guilford County, North Carolina?

Mr. APPELL. Yes, sir.

Mr. Dorsett, I hand you a copy of a check dated September 15, 1965, which was obtained in accordance with a subpoena duces tecum from the North Carolina National Bank, Greensboro, North Carolina.

The check is an imprinted check, Pinedale Saddle Club, P.O. Box 163, Pleasant Garden, North Carolina, dated, as I repeat myself, September 15, 1965, paid to the order of the Alabama Rescue Service, \$7, signed Jesse M. Swain and Milton Henderson.

I hand you this check and put it to you as a fact, and ask you to affirm or deny the fact, that the Alabama Rescue Service is a cover name for the United Klans of America, Inc., Knights of the Ku Klux Klan.

(Witness confers with counsel.)

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 1" follows:)

GEORGE DORSETT EXHIBIT NO. 1

PINEDALE SADDLE CLUB NO. _____
 P. O. BOX 163
 PLEASANT GARDEN, N. C. 27313 19 65
 PAY TO THE ORDER OF _____ \$ _____
 _____ DOLLARS
 NORTH CAROLINA NATIONAL BANK
 GREENSBORO, NORTH CAROLINA
 00531000551 02107645011

Mr. APPELL. Within Greensboro, North Carolina, do you have a women's auxiliary known as the Travelers Auxiliary?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

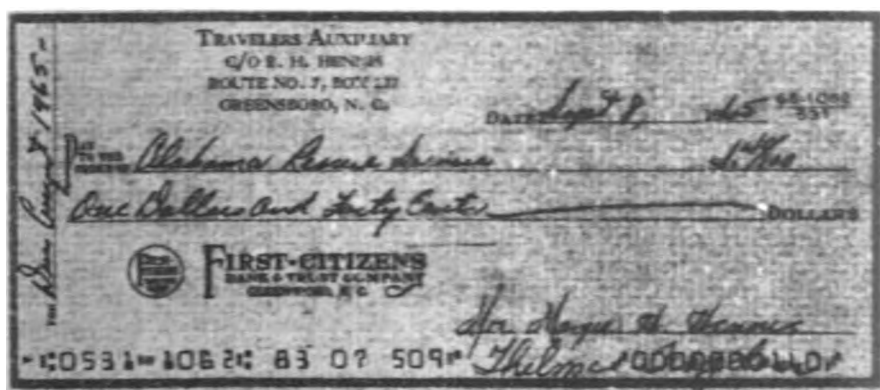
Mr. APPELL. I hand you a check, Mr. Dorsett, imprinted Travelers Auxiliary, care of E. H. Hennis, Route No. 7, Box 237, Greensboro, North Carolina, dated September 8, 1965, payable to the Alabama Rescue Service, in the amount of \$1.40, marked "Dues August 1965," signed Mrs. Margie H. Hennis and Thelma Trogden.

I hand you this check and put it to you as a fact, and ask you to affirm or deny the fact, that the Alabama Rescue Service, the payee on this check, is a cover name for the United Klans of America.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 2" follows:)

GEORGE DORSETT EXHIBIT NO. 2



Mr. APPELL. Does the United Klans of America also have a Klavern in Greensboro, North Carolina, known by the name of The Travelers Club?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you two documents, one a signature card for The Travelers Club account, which shows that the authorized signatures to this account are Gary A. Dance and Hunter W. Starr and E. H. Hennis, whose name was referred to in the previous document; and a copy of an imprinted check. The Travelers Club, Route No. 7, Box 237, Greensboro, North Carolina, dated September 9, 1965, paid to the order of the Alabama Rescue Service in the amount of \$21, signed E. H. Hennis and Hunter W. Starr.

I put it to you as a fact, and ask you to affirm or deny the fact, that the Alabama Rescue Service, to whom the check was made payable, is a cover name for the United Klans of America.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "George Dorsett Exhibits Nos. 3-A and 3-B," respectively, appear on p. 2042.)

Mr. APPELL. Mr. Chairman, I ask at this point that documents exhibited to this witness or referred to in the interrogation of the witness be admitted in evidence in the order in which they appear.

Mr. POOL. It is so ordered.

Mr. APPELL. Mr. Dorsett, the committee's investigation establishes that on September 5 and 6, 1964, an Imperial Klonvokation or convention was held at the Dinkler-Tutwiler Hotel in Birmingham, Alabama.

Did you attend that klonvokation or convention?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a copy of a request-for-registration card prepared by the Dinkler-Tutwiler Hotel which contains this information upon the preprinted form:

GEORGE DORSETT EXHIBIT No. 3-A

14 05 886

NAME The Travelers Club No. of Stamps Received ①

TO FIRST-CITIZENS BANK & TRUST COMPANY

You are hereby authorized to recognize the signatures below in the payment of funds and the transmission of other business in connection with my account. Said account is and shall be subject to your By-Laws, Rules and/or Regulations as they now or may hereafter exist, and you are expressly authorized to charge the account, without notice, for any service, collection, or other charges provided therein.

It is hereby stipulated and agreed that any and all items deposited by the person, firm or corporation whose signature appears below are received by this Bank for deposit or collection and in so doing this Bank may call on depositors' collecting agent and assumes no responsibility beyond the exercise of due care. All items are credited subject to final payment in cash or solvent credits. This Bank will not be liable for default or negligence of its duly selected correspondents nor for losses in transit, and each correspondent so selected shall not be liable except for its own negligence. This Bank or its correspondents may send items, directly or indirectly, to any bank including yours, and credit its draft or credit as conditional payment in lieu of cash; it may charge back any item at any time before final payment, whether returned or not.

It is also understood and agreed that any items, deposited or otherwise acquired in due course, drawn on this Bank that are not good, may be charged back at any time, whether returned or not.

It is further agreed that this bank is authorized to charge this account with a service charge in accordance with its rules. This is your authority to make an annual, semi-annual or monthly maintenance charge against the account, regardless of the amount on deposit and without regard to the activity or inactivity of said account.

Authorized Signature George F. Dorsett

Authorized Signature Charles W. Shaw

E. H. Harris

⑆0531⑆1062⑆14 05 886⑆

Route # 7, Box 237, Greensboro N.C.

GEORGE DORSETT EXHIBIT No. 3-B

10

THE TRAVELERS CLUB
ROUTE 7, Box 237
GREENSBORO, NORTH CAROLINA

DATE Sept 9 1964 SS-1052
831

PAY TO THE ORDER OF Alabama Rescue Service \$21.75 00

Twenty one Dollars and 75/100 DOLLARS

E. H. Harris
Charles W. Shaw

FIRST-CITIZENS
BANK & TRUST COMPANY
GREENSBORO, N. C.

⑆0531⑆1062⑆14 05 886⑆

"I will be attending the convention of the Alabama Rescue Service."
I request four double bedrooms, the \$8.50 rate.

The name signed to this card is "George F. Dorsett," 1806 Trogon Street, Greensboro, North Carolina. I hand you at the same time a copy of a handwritten note, Greensboro, North Carolina, August 29, 1964:

Dear Sir,

Enclosed please find money order of \$35.36 for 4-double bed rooms @ \$8.50 each with 4% State Sales tax. Arrival September 5th (early)
Departure September 6th (late)

Thank You,
/s/ George F. Dorsett
1806 Trogon St.
Greensboro, N.C.

asked you if you executed these documents and forwarded them to Dinkler-Tutwiler Hotel.

Witness confers with counsel.)

Mr. DORSETT. I respectfully decline to answer that question based on the grounds previously stated.

Documents marked "George Dorsett Exhibits Nos. 4-A and 4-B," respectively. Exhibit 4-A follows; 4-B retained in committee files.)

GEORGE DORSETT EXHIBIT No. 4-A

MAKE YOUR HOTEL RESERVATIONS NOW!

I will be attending the convention of the . . .

Alabama Rescue Service
(name of group or association)

I will arrive (day) _____ (date) _____ (hour) _____ m.

I will depart (day) _____ (date) _____ (hour) _____ m.

Reserve for me the following accommodations . . .

(check one) ☐ single

☐ twin bedroom

☒ double bedroom \$ 8.50

☐ suite

YOUR NAME George F. Dorsett

ADDRESS 1806 Trogdon St.

CITY Greensboro, N.C.

Mr. APPELL. I now hand you a copy of the actual hotel registration card, Dinkler-Tutwiler Hotel, signed George Dorsett, 1806 Trogdon Street, Greensboro, North Carolina.

I put it to you as a fact, and ask you to affirm or deny the fact, that you signed that registration card upon registering at the Dinkler-Tutwiler Hotel on September 5, 1964.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 5" and retained in committee files.)

Mr. APPELL. Mr. Dorsett, I put it to you as a fact, and ask you to affirm or deny the fact, that as a result of the proceedings of the klonvokation or convention you were elected Imperial Kludd or chaplain; that Robert M. Shelton was unopposed and therefore elected to the office of Imperial Wizard, or president; that Robert Collins was elected to the office of Imperial Klokard; that R. Hudgins, of Raleigh, North Carolina, was elected to the office of Imperial Kladd; that Walter Brown, of Sumter, South Carolina, was elected to the position of

Imperial Klarogo; and that Robert Harmon, was elected to the office of Imperial Klexter.

I ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the nominating committee which nominated you and others for office comprised in part Wayne Shaver, of North Carolina; William Daniel, of Georgia; Frank Nubert, of Tennessee; Paul Foster, of Mississippi; J. L. Brown, of South Carolina; James Whitefield, Alabama.

I ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that it was at this klonvokation that the imperial assessment payable to the imperial headquarters, national headquarters, was approved by a vote of 163 for and 144 against.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. Have you further questions, Mr. Appell?

Mr. APPELL. Yes, sir.

Mr. Dorsett, I put it to you as a fact, and ask you to affirm or deny the fact, that in addition to being the Imperial Kludd, or chaplain, you are titan of Province No. 5, comprising the boundaries of the Fifth Congressional District of North Carolina, for the United Klans of America, Realm of North Carolina.

I ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that J. R. Jones is the Grand Dragon, Grady Mars, the Grand Klaliff; Fred Wilson, the grand treasurer or klabee; that Al Outlaw is the grand klarogo; that Boyd Hamby is the grand night-hawk, and I ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were Grady Mars' opponent for the office of Grand Klaliff, or vice president, and that Grady Mars was elected over you.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Appell, you are speaking here in each instance about officers of the Realm of North Carolina, designated by the prefix "Grand"?

Mr. APPELL. Yes, sir.

I put it to you as a fact, and ask you to affirm or deny the fact, that at the time you ran for the position of Klaliff, or vice president, that there was nominated for the position of klokard M. R. Kornegay, Jim Hackney, and Ray Woodle, with M. R. Kornegay elected.

I ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. That is Roy Woodle, is it not?

Mr. APPELL. Woodle.

Mr. WELTNER. Roy Woodle?

Mr. APPELL. Yes, sir.

I put it to you as a fact, and ask you to affirm or deny the fact, that at the same election there was nominated for the office of grand kludd Roy Woodle and Bill McCubbins, and that Roy Woodle was elected.

I put it to you as a fact, and ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the State body, assembled in convention, granted to Grand Dragon Jones the authority to appoint the grand kligrapp, or secretary, and that he did in fact appoint Don Leazer to that position.

I ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Fred Wilson was elected to the position of grand klabee, or treasurer, without opposition.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that there was nominated for the position of grand klarogo, Albert Outlaw, Wayne Rivers, and J. T. Shepard, with Albert Outlaw being elected.

I ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact that there was nominated for the position of grand klester, Joe Norman, Clarence Brindle, and Ray Tripp, with Clarence Brindle elected.

I ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact that Boyd Hamby was elected without opposition to the position of grand night-hawk.

I ask you to affirm or deny the fact.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I wonder if you could tell me, Mr. Dorsett, how it is that Boyd Hamby, who I understand is part Indian, was acceptable to you, because he was elected without opposition, when back in the days of your affiliation with the North Carolina Knights of the Ku Klux Klan that which brought upon the attack upon your organization by the Lumbee Indians was because your Klan of that day was burning crosses in front of Indian residences because they were moving into white neighborhoods, or your Klan considered them to be fraternizing with white people.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. It was at the State convention at which you were elected or you were a nominee for the position of vice president or

klaliff, and it was announced to all concerned that the Constitution and the Laws of the United Klans of America were amended so that all imperial and grand officers would thereafter be elected for a period of 2 years.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. As the Imperial Kludd or chaplain of the organization, you, according to the Constitution and Laws, comprise the governing body referred to in the Constitution and Laws as the Kloncilium. When did the Kloncilium, who had authority under the Constitution and Laws, meet to make this change in the Constitution and Laws?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dorsett, the Greensboro, North Carolina, *News* of July 17, 1965, carries a story on the basis of an appearance of you as a speaker before the "O. Henry" Sertoma Club of Greensboro. This newspaper account dealing with your speech talks about what the Klan does. It quotes you as saying that there is within the Klan a Klan Bureau of Investigation:

"The KBI investigates demonstrations and marches like the one on Selma, Alabama," Dorsett said. "We had agents in there taking pictures and making tape recordings.

"And we investigate politicians to see if they're shady. Our aim is to pick out the right candidates and then get out a bloc vote."

The "KBI" also investigates reports of interracial sexual activity, Dorsett said. He said "KBI" investigators had reported their findings to the police in several North Carolina cities.

"But the police don't do anything; their hands are tied," Dorsett said.

Does this newspaper factually report some of your remarks during a speech made before the O'Henry Sertoma Club?

Mr. POOL. Let him look at the paper.

Mr. APPELL. I show you the article so that you might review it before you answer. My quote starts in the next to the last column on the right-hand side as you look at it.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 6" and retained in committee files.)

Mr. POOL. Mr. Dorsett, I notice that the headline says "Dorsett: Klan Ready To 'Save' The Nation." I guess you are going to put on sheets and burn crosses and save the Nation. Do you care to make a comment on that?

(No response.)

Mr. APPELL. Mr. Dorsett, when you told the O'Henry Sertoma Club that the Klan's KBI makes certain investigations and that you report them to the police, who do nothing about them, does the Klan, which proclaims itself to be a law enforcing organization then take the law into its own hands and threaten and intimidate these people?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The article goes on and says, Mr. Dorsett:

Dorsett, a stocky, dark-haired man with a ruddy complexion, said he gets no salary from the Klan, and said he doesn't even get his expenses [sic] paid. He makes his living painting houses.

Is that a factual quote, Mr. Dorsett?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I show you a series of checks, one in the amount of \$100, and seven in the amount of \$150 each on the imprinted check forms of the United Klans of America, countersigned by one of the three authorized signatures to that account, James R. Jones and Donald Leazer, or James R. Jones and Fred Wilson, each of these checks marked on their face "Salary and Expense."

I ask you, sir, if you are an unpaid organizer for the United Klans of America?

(Documents handed to witness.)

(Witness confers with counsel.)

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents previously marked "James Jones Exhibit No. 7-B." See p. 1720.)

Mr. APPELL. Mr. Dorsett, the first check is July 23, which is a few days following that newspaper story. I desire to ask you whether or not, prior to this first formal check being given to you, you received cash from the United Klans of America which was used by you as salary and expenses.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dorsett, we review many press clippings which quote you and other Klan officials, but quote you more directly than others about what the Klan is going to do, and a great emphasis is placed by you in your speeches about communism.

What knowledge do you possess about communism in any of its phases, organization, structure, anything else? What knowledge do you possess?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. Ask him what knowledge he might have about nazism. That might be more appropriate.

I will ask him.

What knowledge do you have about nazism, Hitler? Have you read books and things like that?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. Go ahead.

There is no use staring at me. You are not scaring me one bit.

The committee will stand in recess for 3 minutes.

(Subcommittee members present at time of recess: Representatives Pool, Weltner, and Ashbrook.)

(Whereupon, at 11:08 a.m., a brief recess was taken.)

(Subcommittee members present after a brief recess at 11:11 a.m.: Representatives Pool, Weltner, and Ashbrook.)

Mr. POOL. The subcommittee will come to order.

Mr. APPELL. Mr. Dorsett, I hand you a series of oaths taken by Klansmen, according to sworn testimony that we have. This is not in the form which they are printed by the Klans, but it is a reproduced form made by us.

I ask you if you have ever taken the series of oaths set forth in this document?

(Witness confers with counsel.)

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 4.")

Mr. APPELL. In a speech or rally at Supply, North Carolina, on July 11, 1965, did you, in the course of the speech, state that there were many law enforcement officers who wanted to join the Klan but who were afraid because of their jobs?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dorsett, one oath, one section of an oath, under Section IV, [Klan]* ishness, says:

I most Solemnly Promise and Swear—that I will always, at all Times and in all places,—Help, aid and assist—The duly Constituted officers of The law—in The proper performance of Their Legal Duties.

Did you take that particular oath that I read to you?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Is your respect for law and order modified in that you have respect only for those that agree and contempt for those that disagree?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did the Klan hold a rally on April 17, 1965, across from the Medlin's Store, on Aycock Road, about 3 miles east of Henderson?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I would like to read to you from a report of coverage of that rally submitted by a member of the staff of the committee. I will read only so much as applies to you and not to the other speakers:

Then Reverend George Dorsett of Greensboro was introduced. He had on his black robe and high hat. He started off quoting some scripture, then he started jumping on the highway patrol. He harped on their taking license numbers of the cars of those attending the rally. He said—

And this is a direct quote of you—

"they must be part 'nigger,'" that if they had any guts, were decent white men, they would take off their guns and badges and be resurrected and join the Klan. Then he lit into the patrol officer in charge of the patrolmen there—Sgt. T. E. Cook.

The report reads that you said that the——

old Sgt. was a disgrace to the human race and a disgrace to the uniform, and the State of North Carolina—that he looked old enough to retire and that he ought to retire, that his pants looked like a "nigger" family had just moved out of them. That his pants were so baggy he ought to find a tailor and get them fixed. That he would be ashamed to go around—

That is you—

would be ashamed to go around like this old sergeant looks. Dorsett also stated he hated to see all the State's storm troopers standing around with their big guns on and that there were enough Klansmen there to take the guns off the troopers, but that they would not do this because they believed in law and order. Dorsett then did his usual blasting at Johnson and the Secret Service, the FBI.

Is this report factual, Mr. Dorsett?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 7" and retained in committee files.)

Mr. APPELL. Did you participate in a rally at Farmville, North Carolina, on May 23, 1965?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you at that rally conduct a wedding?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you have authority under the laws of the State of North Carolina to marry a couple?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did this couple that were married in a ceremony performed in Klan robes have to have another ceremony in order to make their marriage legal?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dorsett, Roy Woodle testified before the committee last week. And he testified that one incident to his knowledge was that, during a speech that you made for the collection of funds, a Klansman advised him that he was urged to act as a stickman or a shill and to come forward with an advance of money in order to sucker the audience into also making contributions.

Is that true?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Isn't it a fact that the old North Carolina Knights of the Ku Klux Klan, with which you were affiliated, broke up prior to the Lumbee Indian incident because the membership found out that the Grand Wizard, Cole, who had been going around to Klaverns saying "Please give me money. My wife is seriously ill of cancer, and she needs a serious operation"—didn't they split away because they found out that this was not truthful?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. So you worked in a good training ground to carry out such a type of organization as described by Roy Woodle before ever becoming a member of the United Klans of America; did you not?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Let me ask you whether or not the use of people, as Roy Woodle described one man, is a standard operating procedure within the Klan, whether it be in North Carolina, South Carolina, Florida, or Delaware, and if this procedure has the approval of the leadership of the United Klans of America, of which you are an imperial officer and a member of the Imperial Klonecilium?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Have you been used—not used, but have you, as a matter of fact, made collection speeches throughout North Carolina, South Carolina, Florida, and even the rally at Bear, Delaware?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dorsett, I show you two photographs, one a right profile, the other a left profile, in the military-type uniform with one side showing, the right exposure, a captain's bars; the left exposure showing the cross worn by a chaplain in the military service.

I ask you if you hold the position in the State security guard of the Klan, Realm of North Carolina?

(Photographs handed to witness.)

(Witness confers with counsel.)

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Photographs marked "George Dorsett Exhibits Nos. 8-A and 8-B," respectively. Exhibit 8-A retained in committee files; 8-B follows:)

GEORGE DORSETT EXHIBIT NO. 8-B



Photograph which appeared in the *Charlotte Observer*, September 1, 1964, p. 1 with the following caption: "Passing the bucket—One source of revenue for the Ku Klux Klan is the collection of donations from people who attend the Klan's public rallies. J. Robert Jones of Granite Quarry, the Klan's Grand Dragon, carries several plastic buckets in his car that are passed through the crowd. Here a robed Klan woman passing a bucket to George W. Dorsett of Greensboro, a chaplain in the Klan. Dorsett is wearing a uniform of the Klan's security guard unit." (Observer Photo by [unclear])

Mr. APPELL. Mr. Dorsett, in the picture that I showed you, which is the left exposure, the one shadowed the chaplain's cross, there is a woman dressed in a Klan robe holding out a pot of some kind, or a bucket, in which, it is very evident from the photograph, you are tossing in a coin as a contribution.

I hand you another photograph and ask you if the caption is factual, that this is you with Klan robes over the military-type uniform worn by the security guard, and in this one, instead of handing out coins, you are taking in dollars.

(Witness confers with counsel.)

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Photograph marked "George Dorsett Exhibit No. 9." This exhibit will be reproduced in a forthcoming report on Klan organizations.)

Mr. APPELL. Taking in dollars, Mr. Dorsett, seems to be your principal occupation in the Klan.

I show you another photograph with you taking in dollars.

(Photograph handed to witness.)

Mr. APPELL. I ask you if that is you in that photograph?

Mr. DORSETT. I respectfully decline to answer that question based on the grounds previously stated.

(Photograph marked "George Dorsett Exhibit No. 10" follows:)

GEORGE DORSETT EXHIBIT NO. 10



George Dorsett in Klan regalia taking in money.

Mr. APPELL. I show you a photograph of a Klansman counting money on a makeshift table.

I ask you if that is you?

(Photograph handed to witness.)

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Photograph previously marked "James Jones Exhibit No. 6." See p. 1717.)

Mr. APPELL. Coverage of rallies shows that at some there is a report made to the assembled people as to how many dollars are collected.

Is the figure reported a truthful figure?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. It has been estimated by Klansmen whom we have interviewed, former Klansmen whom we have interviewed, and by others, that at some of these rallies there has been collected sums in excess of \$500.

Can you advise the committee or give the committee any information as to what distribution is made of this cash money collected?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. If the Imperial Wizard is at the rally, does he get a slice of the pie for his travel?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. If Grand Dragons are visiting from other jurisdictions, do they get a share of the money?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. This photograph which I will hand back to the witness appears to be a photograph of the witness dressed in a black robe with a cross appearing over the left breast of the robe.

The photograph shows the witness counting money. I should like him to look at that photograph and refresh his memory, if possible, and tell us how much money was collected on that occasion.

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dorsett, I hand you a reproduction of a newspaper story which appeared in the Fort Lauderdale, Florida, *News*, July 4, 1965, referring to a rally held there on July 3, 1965.

I invite your attention to the picture which is captioned: "IMPERIAL CHAPLAIN REV. GEORGE DORSETT TOOK COLLECTION . . . donations were to be used to finance legal battle won Friday in court."

I ask you if that is you and how much was collected at that Fort Lauderdale rally?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 11" and retained in committee files.)

Mr. APPELL. According to the newspaper story, in order to get the grounds for the rally, in making the pitch for money, a figure of \$500 was mentioned.

Is that what it cost the Klan to use that site at which that photograph was taken?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Dorsett, we have a verbatim transcript of your remarks at a rally in Bear, Delaware, on July 31, 1965. It seems to me from reading this that everyone, and wherever you go, if the police is interested in, for intelligence purposes, learning about the Klan activities, either they or their superiors who order them to carry out this assignment are always referred to by you as "niggers."

Can you give me an explanation for this, Mr. Dorsett?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 12" and retained in committee files.)

Mr. APPELL. At the rally in Delaware you—not you, but the Klan—obtained authority to use a location to carry out this rally. The authority was given to you by a man who did not own the property, but who was merely renting it. The owner of the property apparently objected to this and was going to evict, at least, according to what I read in the verbatim transcript of your remarks, was going to evict this man for granting to the Klan the authority to use the field without consulting him.

I wish to quote a portion of your remarks which leads up to a question I want to ask. I am quoting from this verbatim transcript:

There has been a lot of expense to get this rally on the way and there's going to be a lot of expense to set up the office and the work of the Grand Dragon here and the maneuvering and working and carrying out of the Klan in this State. Also there is an eighty-year old gentleman that some man is fixing to ride off of his place because he offered to let us hold a rally on his place. I believe this beast, this cruel man, I believe he operates some restaurants here, doesn't he?

VOICE FROM THE AUDIENCE: Yes.

IMPERIAL CHAPLAIN DORSETT: What is the name of those places? The Robin Hood?

VOICE FROM THE AUDIENCE: Sherwood.

IMPERIAL CHAPLAIN DORSETT: Sherwood Restaurant.

And then your remarks tell what horrible things this owner of the Sherwood Restaurant is going to do by saying:

He is fixing—this eighty-year old man has got to go to court Monday because he offered white people a chance to meet and hold a meeting on his property that he was renting from this man—what is his name—Saienni. Now he is at the point of losing his place there, having to be pushed off of it. So we are going to help bear his court expense there, whatever it might be.

Then you make a pitch for \$5, \$10, \$20, or \$100, "whatever you can give, fifty cents, or whatever, in helping to get this Klan on the road in Delaware."

To what expense did the Klan go to in the matter to which you referred?

Mr. DORSETT. I respectfully decline to answer that question on the grounds previously stated.

Mr. APPELL. Wasn't the man who owned the property exercising the right which you claim you are fighting for with respect to the use made of his property?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. When it comes to expenses of rallies, Reverend Dorsett, we have analyzed a lot of bank accounts of the United Klans of America Klaverns, and we have noted without exception that where a rally is held in an area close to an established Klan, that the local Klan pays all the expenses.

I ask you if that is not a fact?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. They put into the pot the meat and the bones and you take home the soup; is that a fact?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Was there any of the money collected at the Delaware rally that was used to defray the court expenses of the gentleman who permitted the use of that property for the Klan rally?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I show you another photograph, Mr. Dorsett, this one from the Greensboro, North Carolina, *Record*, of August 19, 1965, and I invite your attention to a photograph that says "Rev. George Dorsett of Greensboro, Ku Klux Klan chaplain, is shown counting money contributed by Klansmen and spectators last night at a rally held in Reidsville."

I would like to ask you if that is your photograph, if the caption is accurate, and what disposition was made of the money collected at that rally?

(Document handed to witness.)

Mr. DORSETT. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 13" appears on p. 2055.)

Mr. APPELL. I invite your attention to an article which appeared in the Danville, Virginia, *Bee*, August 20, 1965, which says:

Following an appeal by the Rev. George Dorsett of Greensboro, chaplain of the United Klans of America, for contributions, more than 50 persons came forth to hand him paper bills and coins totaling some \$171, Klansmen said.

I ask you if the figure reported is factual.

Mr. DORSETT. I respectfully decline to answer that question based on the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 14" appears on p. 2056.)

Mr. APPELL. I ask you, in showing you the article, what disposition was made of the money collected at that rally?

(Document handed to witness.)

(Witness confers with counsel.)

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a reproduction of a photograph which appeared as part of an article in the High Point, North Carolina, *Enterprise*, dated August 22, 1965, at a rally at Guilford County, North Carolina. I invite your attention to the center photograph which says "Money is Collected."

I ask you if you are the person shown in the center photograph with paper money in your hand?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 15" appears on p. 2057. Exhibits 13, 14, and 15 follow:)

GEORGE DORSETT EXHIBIT NO. 13
[Greensboro, N.C., *Record*, August 19, 1965]



COUNTS DONATIONS: Rev. George Dorsett of Greensboro, Ku Klux Klan chaplain, is shown counting money contributed by Klansmen and spectators last night at a rally held in Reidsville.

GEORGE DORSETT EXHIBIT NO. 14

[Danville, Va., Bee, August 20, 1965]

200 Attend Klan Rally In Caswell

YANCEYVILLE, N. C.—A crowd of some 200 persons, including a sprinkling of women and children, gathered in a rain-soaked pasture in Caswell County last night to hear members of the Ku Klux Klan heap lashing verbal assaults on President Johnson, the Supreme Court and Negroes.

The cross-burning rally, staged as part of the Klan's drive to regain a politically powerful status, signalled the beginning of a membership recruiting drive in the county.

As lightning flashed across the darkened sky, the Klansmen, led by North Carolina Grand Dragon J. R. Jones of Granite Quarry, charged that politicians North and South are allowing Negroes to run the country and mongrelize the races.

Following an appeal by the Rev. George Dorsett of Greensboro, chaplain of the United Klans of America, for contributions, more than 50 persons came forth to hand him paper bills and coins totaling some \$171, Klansmen said.

Though their remarks were caustic, the speakers were careful not to advocate violence, apparently aware that FBI agents might be in the audience.

However, all said white persons should be prepared for violence.

Much emphasis was placed on voter registration, and Jones announced that the North Carolina Klan hopes to put a full-time worker in each Congressional district in the state to launch a precinct-by-precinct organization.

New hoods and robes were worn at the rally; in

fact, more members of the Klan's "Security Guard" were in sight than robed Klansmen.

The guards, about 15 or 20 strong, wore olive mufti with gold helmets, white belts, paratrooper boots with pants tucked in and, on their shoulders, a patch with the KKK emblem. They directed traffic and parking and distributed membership cards during the rally. None was armed.

Jones, who wore no hood and robe, drew the most response from the crowd with his descriptions of Johnson and Negroes.

He called the President a "tyrant" and "dictator" and charged that "we have the King-Johnson-Humphrey Administration, in that order. We've got 12.5 per cent of our population dictating to us."

Jones contended Martin Luther King is a Communist and said he has a picture of King at a Communist training school to prove it.

He also was critical of ex-North Carolina Gov. Terry Sanford, calling him an "idiot," add of present Gov. Dan K. Moore. He attacked the Raleigh News and Observer and its editor, Jonathan Daniels, saying the latter "doesn't know the meaning of truth."

The Negro, whom Jones consistently referred to as "nigger," "was born to steal," he said. "The only niggers in Caswell County who won't steal are in the graveyards."

A Pennsylvania klansman told the gathering that the future will find "the white man against the blacks. That's the bare facts. The color of our skin is going to be the color of your uniform."

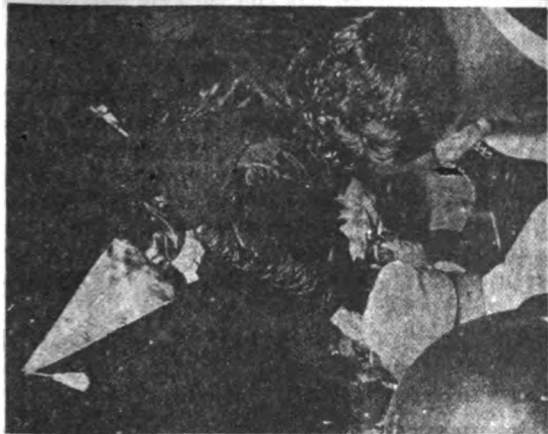
Dorsett charged that the U. S. Supreme Court has been packed with men who are, "Communist-minded" and likened them to termites who, he said, "are destroying the durability of our government. It is high time we used some kind of something to termite-proof our government."

He also urged whites to register and vote for white candidates.

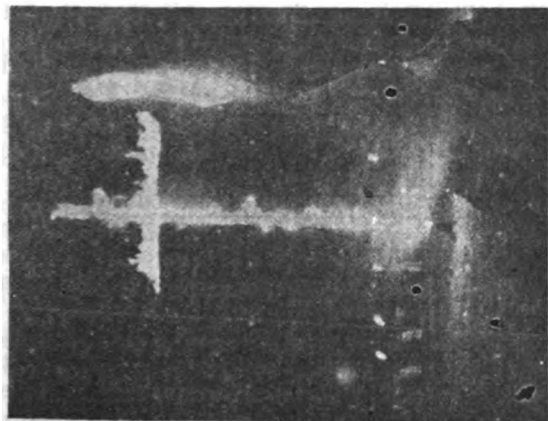
The rally was concluded by a fourth speaker who urged the crowd to support the Klan.



IMPERIAL WIZARD SHELTON SPEAKS



MONEY IS COLLECTED



CROSS IS BURNED

All The Trappings At Klan Rally

All of the increasingly familiar trappings were in evidence Friday night when the Ku Klux Klan held one of its rallies at the Piedmont Drag Strip about 14 miles south of Greensboro in Guilford County.

A crowd of about 1,000 to 1,200 persons heard five speakers over a period of three hours before the rally ended with the Klan's cross burning ceremony.

The speakers were Imperial Wizard Robert Shelton of Tuscaloosa, Ala.; Imperial Kludd

Photos and Story By Art Richardson

George Dorsett of Greensboro, Grand Dragon Robert Jones of Granite Quarry; the grand dragon of Mississippi, who was not introduced by name, and an unidentified youth from Philadelphia, Pa. The talks were similar. They claimed a Communist conspiracy is behind efforts to integrate

the races. President Johnson was denounced in inflammatory, derogatory terms. The youth from Philadelphia spoke first. He said the people in the North realized now they needed the Klan. "It is not safe on our streets," the youth said.

Speaking next was Dorsett, then Shelton, and finally Jones. He urged that there be no trouble when schools open this fall. "I do not believe in violence, but I do believe in separation of the races," Jones said.

Then, the klansmen burned the cross.

Mr. APPELL. I ask you how much money was collected at that rally and what the disposition was of those funds?

Mr. DORSETT. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Dorsett, several articles, many articles, as having been obtained—

Mr. POOL. Just a moment, Don.

From an analysis of the evidence you submitted, and the investigation, does it appear that any of the money that comes from these rallies, cash money, was ever deposited in the accounts of the banks under the realm, or did the Grand Dragon or Wizard ever put it into their bank accounts?

Mr. APPELL. Mr. Chairman, I did not bring the record with me this morning, but we put into the record earlier in this hearing the amount of cash, currency and coin, deposited to an account in the name of the United Klans of America at the Wachovia Bank and Trust Company in Salisbury, North Carolina.

I do not remember the exact deposit in the form of cash and currency starting May 13, 1965, and running through September 9, 1965, but it approximated \$15,000. However, the committee has no way of determining, and has not been as yet able to determine, whether this constituted the total take in the form of cash at the various rallies.

Mr. POOL. Go ahead.

Mr. APPELL. Mr. Dorsett, several references in newspapers allege that you were ordained as a minister at the age of 20. Is this factual, sir?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I invite your attention to an article which appeared in the *Raleigh News and Observer* on July 17, 1965. It says, speaking of churches and influence by ministers:

"They want to meet everything with the message of Christian love and never oppose anything—they always follow the same path," he said. "Really, this message of Christian love is a tool in the Communist hands."

Is that a factual quote?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 16" and retained in committee files.)

Mr. APPELL. Mr. Dorsett, do you know to what extent Klansmen are armed during their participation in public rallies, sponsored by the United Klans of America, in North Carolina or other places?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The committee's investigation indicates that it is the consensus of all law enforcement agencies, including the consensus of our investigation, that the Klansmen are heavily armed under their robes, and that this is one of the reasons for the security which local police exercise toward Klan rallies.

Is this factual?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you speak at a rally in Greenville or in Burlington, North Carolina, in August of 1965?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. What knowledge did you have of the interest of the South Carolina Police Department, sheriffs, in the organization and activities of the Klan?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The Greenville, South Carolina, newspaper known as the *Piedmont*, of August 17, 1965, referring to a rally in a story dated-lined Burlington, North Carolina, states:

Sheriff John H. Stockard was there among the crowd, but the Klan speaker who had been berating him and wanted to point him out couldn't locate him.

The speaker, the Rev. George Dorsett of Greensboro, chaplain of the Klan, was incensed at a KKK rally and crossburning Monday night that deputies had been taking license numbers of cars. He called the Alamance County Sheriff and his deputies "termites and rats," and urged that Stockard not be re-elected.

Another speaker, J. R. Jones of Granite Quarry, state grand dragon, also made derogatory remarks about the sheriff. He also attacked Catholics, Jews, Communist and Negroes.

Jones announced that \$328 was collected for the work of the Klan.

Is this story factual, sir?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "George Dorsett Exhibit No. 17" and retained in committee files.)

Mr. APPELL. Is the amount of \$328 reported in this article a factual reporting of the amount of money collected?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. What part of that \$328 was turned over to the Grand Dragon from South Carolina, Robert Scoggin?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. I have a question I want to put to the witness.

I have here before me a document called "The Principle of the United Klans of America, Knights of the Ku Klux Klan." On the back page I notice this:

We do not believe in mob violence, but we do believe that laws should be enacted to prevent the cause of mob violence.

Deaths by mob violence have fallen off very materially since the advent of the Klan. The Klan believes in law-enforcement, and if a person has committed a crime the law should take its course.

My question is this: If that is one of the principles of the United Klans of America, Knights of the Ku Klux Klan, why do you persist in your statements in your area, in the newspapers which have been shown before this committee this morning, in trying to destroy police officers and other law enforcement officers in their attempts to do their duty? Why do you persist in calling them "termites" and things like that?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

Mr. POOL. Mr. Ashbrook?

Mr. ASHBROOK. Mr. Dorsett, I realize the Klan is not comparable to most organizations of which I have knowledge, but it would seem quite interesting that the person who is a chaplain at the same time would be a security guard and dress in the attire of security guard. Would you care to enlighten us on this?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. ASHBROOK. I also note from the pictures, which are part of the documents in the record, Mr. Dorsett, that there is a great similarity in the uniform of your Klan security guard and those of the Rockwell storm troopers. Your boots, gloves, helmets, most of the attire, seems similar.

I also notice that you have S.G., which I take it stands for "Security Guard," on the front and back of the helmets. Is there any particular reason for this type of attire which is, I think, in the minds of most people, certainly similar to the Rockwell type and also to the Nazi storm trooper type? Is there any particular reason for dressing this way? Is it to inject fear or some other reason in the minds of the people who will see these people with the S.G. on their helmets?

Mr. DORSETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. ASHBROOK. No further questions, Mr. Chairman.

Mr. WELTNER. Mr. Chairman, I think the document from which you read ought to be placed into the record at this point.

Mr. POOL. It is so ordered.

(Document marked "George Dorsett Exhibit No. 18" and retained in committee files.¹)

Mr. WELTNER. I have no questions.

Mr. POOL. Mr. Appell?

Mr. APPELL. Mr. Chairman, the staff, in the progress of this investigation into the North Carolina phase of the Klans, in that realm, has subpoenaed numerous bank accounts of Klaverns within that jurisdiction, many of which have not yet been received.

I ask permission that these bank records, when received, be made a part of the hearing record as they relate to the State of North Carolina.

Mr. POOL. It is so ordered, and also any other documents received here this morning and testified to or brought out by you in your interrogation will be made a part of the record in their proper place.

The committee will stand in recess until 1:45 p.m.

The witness is excused.

Mr. CHALMERS. Excused from his subpoena?

Mr. POOL. That is right.

(Subcommittee members present at time of recess: Representatives Pool, Weltner, and Ashbrook.)

¹ This same exhibit was also introduced as Allen Bayne Exhibit No. 1 in the Nov. 2, 1965, hearings. This exhibit will be reproduced in a forthcoming report on Klan organizations.

(Whereupon, at 11:55 a.m., Wednesday, October 27, 1965, the subcommittee recessed, to reconvene at 1:45 p.m. the same day.)

AFTERNOON SESSION—WEDNESDAY, OCTOBER 27, 1965

(The subcommittee reconvened at 2 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Ashbrook.)

The CHAIRMAN. The subcommittee will please to come to order.

Call your next witness, Mr. Appell.

Mr. APPELL. Mr. Chairman, I would like to call Mr. Charles Elwood Maddox.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MADDOX. I affirm.

The CHAIRMAN. Do you solemnly affirm to tell the truth and nothing but the truth?

I understand that a proper affirmation oath leaves out the word "God" according to practice.

Do you solemnly affirm that you will tell the truth, the whole truth, and nothing but the truth?

Mr. MADDOX. I do.

The CHAIRMAN. Proceed.

**TESTIMONY OF CHARLES ELWOOD MADDOX, ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

Mr. APPELL. Will you state your full name for the record, please?

Mr. MADDOX. Charles E. Maddox.

Mr. APPELL. Is your middle name "Woody"?

Mr. MADDOX. Yes, sir.

Mr. APPELL. Are you appearing before the committee this afternoon in accordance with a subpoena served upon you at 1 o'clock p.m., the 13th day of October 1965 by a United States marshal?

Mr. MADDOX. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. MADDOX. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record, please?

Mr. CHALMERS. Yes, sir. My name is Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. When and where were you born?

Mr. MADDOX. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on March 21, 1936, in Blaney, South Carolina.

Mr. MADDOX. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me

in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Will you please outline for the committee your educational background?

Mr. MADDOX. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Would you kindly outline for the committee your employment background?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Is the information contained on the subpoena, placed there by the deputy United States marshal that served you, that you were served at your place of employment, the DuPont Company, RFD, Camden, South Carolina?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. CHALMERS. Mr. Chairman, may I say to you and the other members of the committee, whatever the subpoena says we, of course, agree with.

Mr. APPELL. Mr. Maddox, the subpoena served upon you commanded you to bring with you and to produce before the committee items which are contained in an attachment which was made a part of the subpoena. These are contained in two paragraphs.

Paragraph 1 orders you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, South Carolina Rescue Service, Realm (State) of South Carolina, in your possession, custody or control, or maintained by you or available to you as Grand Klabee (Treasurer) South Carolina Rescue Service, Realm (State) of South Carolina, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

In accordance with your subpoena, I ask you to produce those documents.

Mr. MADDOX. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 13, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in any consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 13, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Weltner left the hearing room.)

The CHAIRMAN. Mr. Chalmers, we have agreed heretofore all along

on the following stipulation: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, that he is familiar with its contents; and (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

I take it that this stipulation applies to this witness?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I order and direct you to produce the documents just called for, and I call to your attention that the significance of that order and direction is that the committee does not agree with the reasons you have assigned for failing to produce those documents, and that from the point of view of the committee, your refusal to produce them subjects you to citation for contempt of Congress.

Mr. MADDOX. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 13, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, or by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 13, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Maddox, part 2 of the attachment which was made a part of the subpoena calls upon you to bring with you and to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Klabe (Treasurer), South Carolina Rescue Service, Realm (State) of South Carolina of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you in accordance with the terms of the subpoena to produce the documents I have just called for in part 2.

(At this point Mr. Weltner returned to the hearing room.)

Mr. MADDOX. I respectfully decline to produce the documents on the grounds heretofore stated, based on the grounds heretofore stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be ordered and directed to produce the documents called for in part 2.

The CHAIRMAN. Mr. Chalmers, is it agreed that the stipulation just entered into with reference to paragraph 1 of the subpoena is applicable to paragraph 2?

Mr. CHALMERS. It is so stipulated.

The CHAIRMAN. I, therefore, order and direct you to produce the documents called for in paragraph 2 of the attachment to the subpoena.

Mr. MADDOX. I respectfully decline to produce the documents on the grounds heretofore stated.

Mr. APPELL. Mr. Maddox, are you an officer of a Klan organization, Klan or Klavern, which is known as The Friendship Club?

Mr. MADDOX. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me

in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I would like to read into the record and then show to Mr. Maddox the following document: It is headed "Unincorporated Association Agreement." It is dated November 19, 1964, to The South Carolina National Bank, Camden, South Carolina.

(Mr. Appell then read the following document, which was marked "Charles Maddox Exhibit No. 1":)

CHARLES MADDOX EXHIBIT NO. 1

UNINCORPORATED ASSOCIATION AGREEMENT

Date NOV. 19, 19 64

To: The South Carolina National Bank
CAMDEN, S. C.

At a meeting of the FRIENDSHIP CLUB
(Insert name of organization, association, club, etc.)

duly called and held on the 19 day of NOV., 19 64, at which Charles E. Maddox was present and voted, the following officers were duly elected and have qualified:

NAME	TITLE
<u>CHARLES E. MADDOX</u>	<u>SECRETARY</u>
<u>BURREL E. PRICE</u>	<u>TREASURER</u>
<u>WILLIAM D. RUSS</u>	<u>PRESIDENT</u>

under the rules and/or regulations and by-laws of the FRIENDSHIP CLUB
(Insert name of organization, association, club, etc.)

any funds deposited to its credit with The South Carolina National Bank, CAMDEN, S. C. may be withdrawn by check or draft, signed by the SECRETARY, TREASURER, or PRESIDENT
(Title) any 2 of whom must sign each check or draft.
(Number)

including such as may be drawn to the order of or endorsed in favor of any officer signing or endorsing the same. And the above officer(s) is/are authorized to handle any and all other transactions pertaining to the above account. This authority shall continue in effect until revoked by written notice given to and received by The South Carolina National Bank, CAMDEN, S. C.

Attest: Charles B. Pearly
Secretary (Outgoing) Treasurer

President (Outgoing)
(or other authorized officer)

Names of retiring officers, if any, whose authority is hereby revoked:

NAME	TITLE
<u>C.B. PERBLES</u>	<u>TREASURER</u>

Mr. APPELL. I hand you this document, Mr. Maddox, and ask you if this is a true copy of a document filed with The South Carolina National Bank, Camden, South Carolina, on behalf of The Friendship Club.

(Witness confers with counsel.)

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Weltner left the hearing room.)

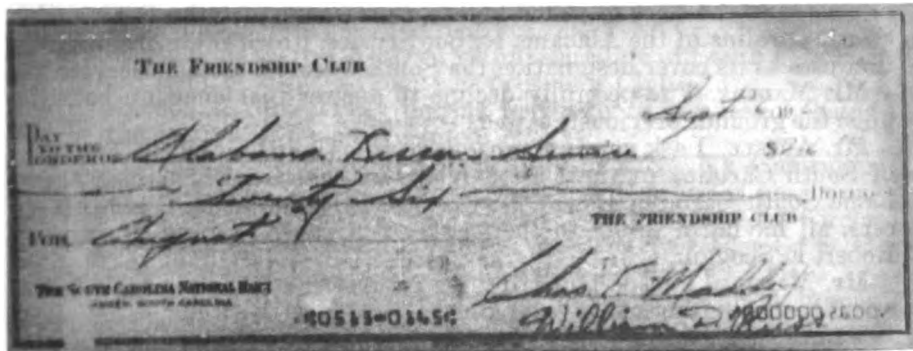
Mr. APPELL. For the purpose of establishing the identity of this Friendship Club as an instrumentality, Klan or Klavern of the United Klans of America, I shall now hand you a copy of an imprinted check dated September 6, 1965, imprinted "The Friendship Club, Pay To The Order Of Alabama Rescue Service \$26.00," and the purpose for which drawn is written in "August." Under the imprint of The Friendship Club is the signature of Charles, abbreviated "Chas." E. Maddox, William D. Russ, and the check dated September 16, 1965, imprinted as the previous check was described, to the Alabama Rescue Service in the amount of \$20, containing the same signatures.

I put it to you as a fact, and ask you to affirm or deny the fact, Mr. Maddox, that the Alabama Rescue Service is a cover designation for the imperial office of the United Klans of America.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

(Checks marked "Charles Maddox Exhibit No. 2." One of said checks follows; others retained in committee files.)

CHARLES MADDOX EXHIBIT No. 2



Mr. APPELL. Mr. Chairman, I would like to say that the documents just exhibited were obtained by the committee through subpoena duces tecum.

Mr. Chairman, under Presidential authority to review and examine incorporated and individual returns, a request was made of the Secretary of the Treasury for such corporate tax returns as were filed by the Friendship Lodge, headquarters, Camden, South Carolina.

I would like to read a report concerning Friendship Lodge made to Mr. J. R. Logan, IRS group supervisor in Columbia, South Carolina, signed by Revenue Officer H. L. Cunningham, and dated September 17, 1965:

Contact was made with Charles E. Maddox who was suppose[d] to be the secretary of the Friendship Lodge. He stated that he was connected with the Friendship Club. This club was composed of a group of men employed by the DuPont Company of Camden. Their purpose was purely a social club. The[y] would meet periodically for a "dutch dinner" by use of a catering service. They would ask for donations for the payment of rent of the community center. They have a Christman [sic] Party for the members and their families. He stated that he had never heard of the Friendship Lodge. A check was made with the Postmaster. He knew of the Friendship Club and also knew Charles Maddox since he had been invited to their christmas party.

No returns were secured since this organization was not located. * * *

Mr. Maddox, I ask you whether or not you truthfully described to Revenue Officer Cunningham the composition and purpose of The Friendship Club.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Charles Maddox Exhibit No. 3" and retained in committee files.)

Mr. APPELL. Mr. Maddox, I ask you if in 1964 you were appointed or elected to the office of grand klabee, or treasurer, for the Realm of South Carolina of the Alabama Rescue Service, which State organization uses as its cover designation the South Carolina Rescue Service?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I ask you if you have served as an officer of the Realm of South Carolina of the United Klans of America which uses the name South Carolina Rescue Service, with the following realm officers, all having a prefix to their title of "Grand": Grand Dragon, Robert E. Scoggin.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Grand Klaliff, Younger Mack Newton.

Mr. MADDOX. I respectfully decline to answer that question based on the ground previously stated.

Mr. APPELL. Grand klokard, James O. Davis.

Mr. MADDOX. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Grand kludd, Reverend Wilburn Samuel Cox.

Mr. MADDOX. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Grand kligrapp, Robert Nix.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Grand kladd, William (Bill) Bullock.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Grand klarogo, Carlyle F. Lewis, Jr.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Grand klexter, E. D. Huston.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Grand night-hawk, Steve Broadway.

Mr. MADDOX. I respectfully decline to answer that question based upon grounds previously stated.

Mr. APPELL. Grand kleagle, Theodore Boyce Spires.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. With a klokann committee on the State level consisting of Wilburn Esters Cox?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. And another member of the klokann committee, Buddy Knox.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Maddox, does the Realm of South Carolina using the name of the South Carolina Rescue Service maintain an account at The South Carolina National Bank, Columbia, South Carolina?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Is there a Klavern within the State of South Carolina known as the Chesterfield County Sportsman's Club?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. For the purpose of establishing facts, Mr. Chairman, I intend to exhibit to Mr. Maddox a copy of a canceled check imprinted "Chesterfield County Sportsman's Club, 104 Dogwood Circle, Cheraw, S. C.," dated March 29, 1965, "Pay To The Order Of S. C. Rescue Service \$78.00," signed Ralph Powers, Francis W. Lide.

On the reverse of the check it shows an endorsement "S.C. Rescue Service, Chas. E. Maddox."

I hand you the check, Mr. Maddox, and I put it to you as a fact, and ask you to affirm or deny the fact, that some of the funds received by the South Carolina Rescue Service are from Klaverns and one of which is the Chesterfield County Sportsman's Club.

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Charles Maddox Exhibit No. 4" appears on p. 2069.)

Mr. APPELL. Mr. Maddox, I do not know whether you reviewed the reverse of the check. If you did not, I ask you to do so. I put it to you as a fact, and ask you to affirm or deny the fact, that it is your signature.

Mr. MADDOX. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Are all moneys due from the Klavern to the realm which in South Carolina is known by a cover name of the South Carolina Rescue Service, are all of these checks payable to you? Are all of these checks payable to the South Carolina Rescue Service, or are some checks payable directly to Grand Dragon Scoggin?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Does the United Klans of America, Realm of South Carolina, have a Klan or Klavern within its jurisdiction known by the cover name of the "Odd Brothers Club"?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a copy of a check, a canceled check, drawn on The Anderson Bank of Dillon, Dillon, South Carolina, dated September 13, 1965, pay to the order of the United Klans of America, Inc., \$36.50.

The purpose for which drawn says, or reads, "Dues 73 members Aug. — 1965." "The Odd Bros. Club" is written on this canceled check in longhand. The signatures are E. W. Adams and the other is Gately Arnette.

I hand you this check and put it to you as a fact, and ask you to affirm or deny the fact, that the endorsement on the reverse of this check, which is United Klans of America, with the abbreviation for Charles E. Maddox, is your signature?

(Witness confers with counsel.)

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Charles Maddox Exhibit No. 5" appears on p. 2070.)

Mr. APPELL. Mr. Chairman, I would like the record to show that the third authorized signature to the account in the name of Odd Brothers Club is E. W. Adams.

Do you know E. W. Adams to be an officer of the Odd Brothers Club?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you have a Klan or Klavern of the United Klans of America, the Realm of South Carolina, also known as the South Carolina Rescue Service, known by the title Sportsmans Club No. 4?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. For the purpose of establishing the identity of this club, Mr. Chairman, I would like to exhibit to the witness only one of many checks contained in this item.

I shall read from a copy of a canceled check, "Sportsmans Club No. 4, Allen 'Holliday,' Treasurer," dated September 27, 1965, "Pay to the order of Charles E. Maddox," in the amount of \$70.

The purpose for which drawn is shown as "Car." The cosigners are "Allen Holladay" and "Lewis Mason." The endorsement on the reverse of the check says "South Carolina Rescue Service," with "Charles," written out in full, "E. Maddox."

I show you this check and put it to you as a fact, and ask you to affirm or deny the fact, that the Sportsmans Club No. 4 is a Klan or Klavern of the United Klans of American, Realm of South Carolina.

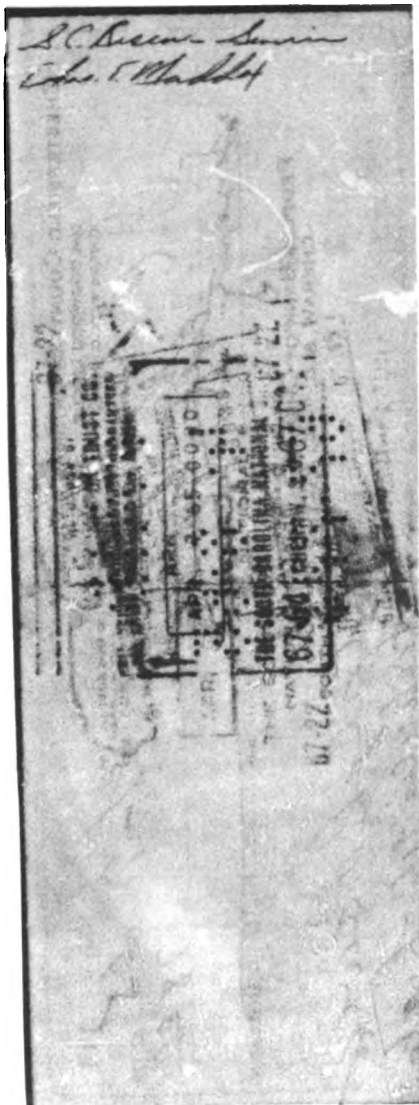
(Document handed to witness.)

(Witness confers with counsel.)

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Charles Maddox Exhibit No. 6" appears on p. 2071.)

CHARLES MADDOX EXHIBIT No. 4





THE ANDERSON BANK OF DILLON

No. 40

DILLON, S. C. Sept. 13, 1965

\$56.50

\$7.20
\$13

50
100 DOLLARS

For United Klans of America Inc.

Charity Set

For Dues 23 members

Aug - 1965

To United Klans of America
By Natly Brantley

100-1300000000



CHARLES MADDOX EXHIBIT No. 6



SPORTSMANS CLUB NO. 4
ALLEN HOLIDAY TREASURER

PAY TO THE
ORDER OF

Charles E. Maddox

Twenty Dollars and No Cents

THE SOUTH CAROLINA NATIONAL BANK

PICKEENS, S. C.

Dillon Holliday
Charles E. Maddox

DOLLARS

\$ 20.00

27-202
100

No.

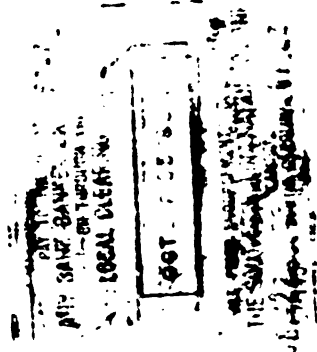
15

1065

9-27

00512002500 05600 00433 50

South Carolina
Pickeen
Charles E. Maddox



Mr. APPELL. Mr. Maddox, the purpose for which drawn as reflected on that check is a car. Did the members of the Klan in South Carolina give to Grand Dragon Scoggin a 1965 station wagon?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did they give it to him or did he take out a note for the car on hopes that the Klan might pay for it eventually?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. According to the records of the South Carolina Bank, The South Carolina National Bank, at Pickens, South Carolina, the authorized signatures to this account are Lewis Mason, president—and I ask you did you know him to be the president or an exalted cyclops of this Klavern?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. James Abercrombie, and I ask you if you knew him to be klabee or secretary of the Klavern?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. And Allen Holladay, treasurer or klabee, as the imprinted check shows him to be?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Charles Maddox Exhibit No. 7" follows:)

CHARLES MADDOX EXHIBIT No. 7

PART 1		DEPOSITOR'S AGREEMENT	
In consideration of the mutual benefits to be derived by the parties hereto, it is agreed that the account of the undersigned (the South Carolina National Bank) will be governed by the following terms and conditions:			
1. The undersigned hereby agrees to deposit with the Bank all the funds of the undersigned and will have no responsibility for the loss of such funds beyond the exercise of the Bank's ordinary care.			
2. The undersigned agrees to deposit with the Bank all the funds of the undersigned and will have no responsibility for the loss of such funds beyond the exercise of the Bank's ordinary care.			
3. The undersigned agrees to deposit with the Bank all the funds of the undersigned and will have no responsibility for the loss of such funds beyond the exercise of the Bank's ordinary care.			

Allen Holliday' and one other signature required

PART 2		ACCOUNT NUMBER	
(Continued from Part 1)		36 0 0 0433 5	
12. The undersigned, as authorized by either a separate resolution, certificate or agreement, hereby certify that they have read and agree that all transactions shall be subject to the provisions of this agreement, and that any <u>2</u> signature(s) is/are required, executed this <u>24th</u> day of <u>May</u> , 19 <u>65</u> .			

AUTHORIZED SIGNATURE		NAME & TITLE (PLEASE TYPE)	
(1) <u>Allen Holladay</u>		Sportsman's Club No. 4	
(2) <u>Lewis Mason</u>		Allen Holladay, Trea.	
(3) <u>James Abercrombie</u>		Rt. 4, Pickens, S.C.	
(4)			
(5)			
(6)			

TYPE OR PRINT INFORMATION NOTED BELOW	
ACCOUNT NAME	Sportsman's Club No. 4
ADDRESS	Route 4, Pickens, S.C.
	Identification No.

Mr. APPELL. As treasurer of the Realm of South Carolina, I ask you if there exists in Columbia, South Carolina, a Klan or Klavern of the United Klans of America, the Realm of South Carolina, known as the Capital City Sportsmans Club No. 9?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Weltner returned to the hearing room.)

Mr. APPELL. Do you know its officers to be Bill W. Walters, James F. Smoak, and D. L. Reed?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did the Realm of South Carolina until late 1964 have a Klavern at Gaffney, which was known by the name of the Cherokee Sportsman's Club, whose officers were Joe W. McCluney, W. O. Jolly, Jr., and Paul M. Cudd?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did the Realm of South Carolina have a Klavern at Hemingway, South Carolina, known as the Hemingway Sportsmans Club whose officers were W. Dozier Tanner, Wayne Allen, and Wilburn E. Cox?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did it have a Klavern at Spartanburg, South Carolina, which at one time was known as Lodge 21, and at another occasion the 21 Club?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was and is the Grand Dragon for the Realm of South Carolina also the exalted cyclops of these clubs?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did the Realm of South Carolina have a Klavern at Bennettsville, South Carolina, known as the Red River Club No. 19?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know as its officers Wort S. Gray, Clifford Whittington, and Sherwood B. Choplin?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did the Realm of South Carolina have a Klavern at Rock Hill, known as the Rock Hill Volunteers of America?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know its officers to be George A. Plyler, as the exalted cyclops; William M. Duncan, as the kligrapp; and James W. Hill as the klabee?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. At Andrews, South Carolina, does the Realm of South Carolina have a Klavern known by the name of the Santee Sportsman Club?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know the officers of that club to be Jesse L. Grumiley, N. A. McMahan, and E. E. Dirks?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Does the South Carolina Realm of the United Klans of America have a Klavern at Greenville known as the Wade Hampton Club No. 1?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know among its officers Bobby G. Wise and Curtis Crompton?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Does it have a Klavern at Sumter, South Carolina, known as the Sumter Sportsmans Club No. 10?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know among its officers James O. Davis and C. F. Lewis?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. In Orangeburg, South Carolina, does the United Klans of America have a Klavern known as the Garden City Club?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know among its officers C. A. Stappe, III?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. At Hartsville, South Carolina, does the United Klans of America, Realm of South Carolina, have a Klavern known by the name of the Hartsville Sportsmans Club No. 24?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know among its officers of that Klavern Cole L. Barnhill and Robert W. Goodson, Jr.?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Mr. Maddox, the committee completely respects your religious beliefs and views, but it is pertinent to the committee and to this inquiry as to whether or not you consider your allegiance to the Klan above your allegiance to your country.

Accordingly, I make the following statement and will then ask you a question.

In your appearance before this committee you affirmed instead of taking an oath, and this is proper. By that I mean you have a right to do that. I have before me a copy of the oath subscribed to by you and other members of the United Klans of America.

In that oath, the subscriber swears "in the presence of God" and "unconditionally" that he will obey the constitution, laws, and regu-

lations of the United Klans of America and also all mandates, decrees, edicts, and rulings and instructions of its Imperial Wizard.

The oath also swears before God complete fidelity to the Klan.

The subscriber also swears, but significantly does not state in the name of God, "unqualified allegiance" to the United States of America.

Is this because a Klansman places loyalty to the Klan above loyalty to the United States and its Constitution?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 4.")

The **CHAIRMAN.** Is this why you took a Klansman's oath "in the presence of God" and "before God" but would not swear before God in these proceedings?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

The **CHAIRMAN.** Following his appearance before this committee, Mr. Shelton, Robert M. Shelton, the Imperial Wizard of the United Klans of American, said this:

I will not, I cannot, answer any question, no matter how cleverly put, that would violate my oath or affirmation to my fellowmen and to Almighty God.

That is what he said outside, but he did not take an oath here, nor did he swear to Almighty God.

Then he proceeds to say:

Should I do so, I would be false to my religious principles and would deserve the eternal damnation of my soul, which I firmly believe would be my fate.

And then following the appearance of Mr. Dorsett before this committee this morning, who also, like you, affirmed, but did not swear before or in the presence of God, he said more specifically to the press outside:

I have sworn before God Almighty to cling to the high code of ethics and morality that are the guiding principles of the United Klans of America, and I shall remain steadfast and faithful to that oath, knowing full well that should I violate it, I would risk eternal damnation of my mortal soul.

Do you take that position, too?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

The **CHAIRMAN.** You have a right to do and say anything you want to in this wonderful country of ours, but do you intend after you leave this witness stand to try to distinguish between an oath and affirmation for the public but not talk about it before the committee, to imply that to speak before the committee would violate your oath or affirmation?

You didn't take any oath here, but will you try to paint outside that it is the same thing? Do you intend to make such a statement?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Chairman, I thought it might be in order, in view of some of the statements that have been made outside of this hearing room, to have the record clearly reflect several things. One of them is that Mr. Appell, the investigator, has been under oath since the initiation of these proceedings, and the questions propounded to him have

been propounded to him in his capacity as a sworn witness and his answers have been sworn answers, subject to the pains of perjury; secondly, that while this committee, as the chairman states, respects religious convictions, there is only one ground this committee recognizes for failing to testify, and that is the fifth amendment, on the ground that the answer might tend to incriminate the parties.

So when those who fail to testify within the hearing room step outside and claim some higher allegiance, that allegiance is not recognized in this hearing room, but only the constitutional protection contained in the fifth amendment to the Constitution.

The CHAIRMAN. Yes, and I asked that very question of counsel after questioning, I think, either Mr. Shelton or Mr. Jones, because the situation is this: In appearance before this committee these witnesses have relied, as I understand, and as they stated, strictly upon constitutional grounds for failure to answer.

Is that correct?

Mr. CHALMERS. That is my understanding; yes, sir.

The CHAIRMAN. And I make it clear that if the witnesses have deep faith and abiding allegiance to the Klan oaths, as they proclaim they have, it would appear to me—and I am not asking a question—they should have courage to rely on that oath here in this room so we can test whether that oath is superior to the Constitution of the United States itself and to this Government.

As I understand from counsel, and he is capable, his only reliance as attorney for these witnesses is upon the Constitution and not upon that oath.

Mr. CHALMERS. May I state, Mr. Chairman, I have not at any time discussed with any of the witnesses that I represent their religious beliefs or their affiliations with respect to any oath-taking.

My only purpose in advising them is as to their constitutional rights and nothing else.

The CHAIRMAN. I understand that and I appreciate your position. Now one final statement and a question.

In his statement just made to the press, or made to the press today, the news media, Mr. Dorsett stated: "I have been appalled by the failure of the Committee, a branch of Congress to follow the example of Congress in opening its daily sessions with prayer and a petition to God for guidance."

Are you appalled at that, too? If you are appalled by that fact—and no committee of Congress opens its sessions with prayer reciting as in the House—if that appalls you, as Mr. Dorsett said it did him, then why wouldn't you invoke the oath of God here?

I ask you, are you appalled that this subcommittee of Congress does not open its sessions with a prayer and a petition to God for guidance when you yourself refuse to take the oath before God?

Mr. MADDOX. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. In line with counsel's reliance on the fifth amendment, I cite to him a case which I take it he is probably familiar with, a case from the Supreme Court of Alabama, which I think is their highest court—

Mr. CHALMERS. I am not familiar with any Alabama decisions.

The CHAIRMAN. The Supreme Court of Alabama has held that a Klan officer is properly convicted for contempt for refusing to give the grand jury the names of the members of that organization upon the grounds that his Klan oath of secrecy was not binding.

That is in *Ex parte Morris*, 42 Southern Reporter, Second Series 17, decided in 1949.

Specifically, your highest court said—

Mr. CHALMERS. No, sir.

The CHAIRMAN. —only privileged communications and facts made so by law, or lawful government regulations, are protected from disclosure.

The identity of the membership of said organization does not fall within such privileged class.

Mr. CHALMERS. May I state, Mr. Chairman, and refresh your recollection, I am not familiar with any decisions of the Alabama courts.

The CHAIRMAN. I am so sorry. I apologize.

It is a decision from the highest court of the State, which we understand to be good law. I agree with your advice to your clients they had only better rely on the good old fifth amendment, rather than their oath.

Mr. ASHBROOK. Mr. Chairman, I would like to associate myself with what you have said. I think the comments you have made are quite appropriate.

If you had been here this morning and had the opportunity to study the record on Mr. Dorsett, to look at his pictures, to hear what some of the staff members have, some of the statements from his speeches, in which he didn't show any of the concern or compassion usually associated with a clergyman, I think you, too, would find his comments were quite out of order.

I, for one, in looking at the pictures of him dressed as he was, in the boots and insignia usually associated with storm troopers, got the feeling that a person like that could hardly level charges against us.

I think quite appropriately you answered this, and I think the record ought to show that the committee supports you in what you have said.

The CHAIRMAN. Is that all?

Mr. APPELL. Yes, sir.

The CHAIRMAN. The witness is excused and discharged from his subpoena.

Call your next witness.

Mr. APPELL. Ralph Powers.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POWERS. I affirm.

The CHAIRMAN. I am sorry.

Do you affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. POWERS. I affirm.

The CHAIRMAN. You so affirm?

Mr. POWERS. Yes, sir.

**TESTIMONY OF RALPH POWERS, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. State your full name for the record, please.

Mr. POWERS. Ralph Powers.

Mr. APPELL. P-o-w-e-r-s?

Mr. POWERS. Yes.

Mr. APPELL. Are you appearing before the subcommittee this afternoon in accordance with a subpoena served upon you at 3:45 o'clock p.m. on the 13th day of October 1965?

Mr. POWERS. Yes.

Mr. APPELL. Are you represented by counsel?

Mr. POWERS. Yes.

Mr. APPELL. Will counsel identify himself for the record, please?

Mr. CHALMERS. My name is Lester V. Chalmers, Jr., an attorney at law at 501 First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Powers, when and where you born?

Mr. POWERS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Will you give the committee your educational background?

Mr. POWERS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Will you give the committee your employment background?

Mr. POWERS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Were you served with your subpoena at R.F.D. Cheraw, South Carolina, while you were on a fishing trip?

Mr. POWERS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Powers, the subpoena served upon you commanded you to bring with you and to produce before the committee items called for in an attachment which was made a part of the subpoena.

Part 1 of the attachment reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely the Alabama Rescue Service, South Carolina Rescue Service, Chesterfield County Sportsman's Club, Realm (State) of South Carolina, in your possession, custody or control, or maintained by you or available to you as an officer or employee of the Chesterfield County Sportsman's Club, South Carolina Rescue Service, Realm (State) of South Carolina of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as United Klans of America, Inc., Knights of the Ku Klux Klan.

In accordance with the provisions of your subpoena, I ask you to produce the documents called for.

Mr. POWERS. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 13, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in subpoena dated October 13, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I ask that the witness be instructed and directed to produce the documents called for.

The CHAIRMAN. Mr. Chalmers, heretofore in connection with all of your clients who previously took the stand we entered into the following stipulation: That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity as described in this subpoena.

That stipulation applies to this witness?

Mr. CHALMERS. It applies to this witness; yes, sir.

The CHAIRMAN. I order you, Mr. Powers, to produce the documents called for in paragraph 1 of the attachment to the subpoena duces tecum served upon you.

(Witness confers with counsel.)

Mr. POWERS. I respectfully decline to produce those documents for the reasons heretofore given.

Mr. APPELL. Mr. Powers, under the conditions of the subpoena you were directed to bring with you and produce those items described in the attachment which was made a part of the subpoena, part 2, reading:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as an officer or employee of the Chesterfield County Sportsman's Club, South Carolina Rescue Service, Realm (State) of South Carolina of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Under the terms of the subpoena, I ask you to produce those documents.

Mr. POWERS. I respectfully decline to produce those documents for the reasons heretofore stated.

The CHAIRMAN. It is agreed, I take it, that the previous stipulation is now entered into with reference to paragraph 2 of the subpoena.

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Powers, I order and direct you to produce those documents.

(Witness confers with counsel.)

Mr. POWERS. I respectfully decline to produce those documents on the grounds heretofore stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Powers, did you know the gentleman who was a witness immediately preceding you, Mr. Charles E. Maddox?

Mr. POWERS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Powers, I hand you the same copy of a check that I handed Mr. Maddox, a copy of a canceled imprinted check, of the Chesterfield County Sportsman's Club, payable to S. C. Rescue Service in the amount of \$78.00. I put it to you as a fact, and ask you to affirm or deny the fact, that the Ralph Powers whose name appears as the cosigner on this check is yourself.

(Witness confers with counsel.)

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check previously marked "Charles Maddox Exhibit No. 4." See p. 2069.)

Mr. APPELL. Mr. Powers, the Peoples Bank of Cheraw, South Carolina, in accordance with a subpoena served upon it, produced certain records and documents maintained by that bank in the name of the Chesterfield County Sportsman's Club. The signature cards reflect that this account was opened on July 13, 1964, and that there was submitted originally the names of Tom B. Busch, W. P. Rivers, Sr., and Frank R. Shirrell, and I ask you whether you knew the three names that I mention to you to have been at that time, July 1964, officers of the Chesterfield County Sportsman's Club?

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the Chesterfield County Sportsman's Club is, in fact, a Klavern, Klan or Klavern of the United Klans of America in Cheraw, South Carolina.

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The signature card indicates that a change in the account's authorized signatures was effective on 11-30-64, with the addition of the name Ralph Powers.

I ask you if you are the Ralph Powers whose name was added as of November 30, 1964?

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. A copy of the second signature card supplied by the Peoples Bank of Cheraw reflects that on March 31, 1965, a new signature card was filed for the Chesterfield County Sportsman's Club, this time containing the signatures of Ralph Powers, T. E. Hutson, and Francis W. Lide.

I show you a reproduction of both signature cards and ask you if the names which appear on the second signature card were known, the individuals were known, to you as officers of the Chesterfield County Sportsman's Club?

(Documents handed to witness.)

(Witness confers with counsel.)

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Ralph Powers Exhibits Nos. 1-A and 1-B," respectively, follow:)

RALPH POWERS EXHIBIT NO. 1-A

104 Wood Circle
circle

PEOPLES BANK OF CHERAW, CHERAW, S. C.

DATE JUL 13 1964 No.

ACCOUNT Christopher Co. Sportsman Club

ADDRESS Woodpile Lane, Cheraw, S.C.

In consideration of services rendered, or to be rendered, by Peoples Bank of Cheraw, the undersigned hereby authorizes and empowers said bank to charge my, or our, open account each month with such charges for services as are now in effect or may hereafter be authorized by the Clearing House of Cheraw, S. C. It is agreed that the bank shall not be liable for damages, if after making the said charge or charges against my or our account, it shall be so reduced that checks issued by me are refused payment for insufficient funds.

It is agreed that any claim that I or we may make, questioning the accuracy of any statement of account furnished by said bank, or the genuineness or correctness of paid vouchers or checks drawn by me or the accuracy of the bank's records concerning the same, shall be filed with the bank in writing by the 15th day of the month following the month in which vouchers or checks are paid; and I or we agree that failure to file such claim within such time shall constitute a waiver of any claim on my or our part other than a right to have any error or inaccurate entry on such statement corrected, and no liability shall accrue against the bank other than to make such correction.

The undersigned hereby agree to the conditions on the back of this card under which items are credited and received for collection.

The 3 signatures (insert number of signatures) written below are the duly authorized signatures and 2 of which you will recognize in payment of funds and the transaction of other business for our account.

Tom Burr Buck Frank R. Shurtliff
W. P. Powers Ralph Powers

RALPH POWERS EXHIBIT NO. 1-B

PEOPLES BANK OF CHERAW, CHERAW, SOUTH CAROLINA

DATE MAR 31 1965 No.

ACCOUNT Christopher Co. Sportsman Club

ADDRESS 104 Wood Circle, Cheraw

In consideration of services rendered, or to be rendered, by the Peoples Bank of Cheraw, the undersigned hereby authorizes and empowers said bank to charge my, or our open account each month with such charges for services as are now in effect or may hereafter be authorized by the Clearing House of Cheraw, S. C. It is agreed that the bank shall not be liable for damages, if after making the said charge or charges against my or our account, it shall be so reduced that checks issued by me are refused payment for insufficient funds.

It is agreed that any claim that I or we may make, questioning the accuracy of any statement of account furnished by said bank, or the genuineness or correctness of paid vouchers or checks drawn by me or the accuracy of the bank's records concerning the same, shall be filed with the bank in writing by the 15th day of the month following the month in which vouchers or checks are paid; and I or we agree that a failure to file such claim within such time shall constitute a waiver of any claim on my or our part other than a right to have any error or inaccurate entry on such statement corrected, and no liability shall accrue against the bank other than to make such correction.

The undersigned hereby agree to the conditions on the back of this card under which items are credited and received for collection.

The 3 signatures (insert number of signatures) written below are the duly authorized signatures and 2 of which you will recognize in payment of funds and the transaction of other business for our account.

Ralph Powers Francis W. Lile
J. E. Hutton

Mr. APPELL. Do you know R. E. Scoggin to be Grand Dragon of the Realm of South Carolina?

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a copy of a canceled check dated May 21, 1965, payable to R. E. Scoggin in the amount of \$51, cosigned Ralph Powers and Francis W. Lide.

I ask you the purpose for which that check was drawn?

(Witness confers with counsel.)

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Ralph Powers Exhibit No. 2" appears on p. 2083.)¹

Mr. APPELL. I ask you if that check was drawn to the order of Mr. Scoggin as a part of the official business of the Klavern known as the Chesterfield County Sportsman's Club?

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I am wondering if you can advise the committee why Mr. Scoggin, instead of depositing that check in some account, cashed it at a place which is apparently the "Welcome Grille."

Mr. POOL. Place that in the form of a question.

Mr. APPELL. Let me restate that question.

Please advise the committee why this check was cashed and endorsed in the manner as shown on the reverse thereof rather than deposited into an official account of the Realm of South Carolina.

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Powers, I hand you a copy of a canceled check of the Chesterfield County Sportsman's Club dated May 21, 1965, payable to the Alabama Rescue Service.

I invite your attention to the endorsement on the reverse side of that check, which contains the initials "ARS, UKA, By R. E. Scoggin." It contains a further endorsement "For Deposit Only. W. F. Eubanks, Spartanburg, S.C."

I ask you if this check was drawn to pay the imperial tax to the imperial office of the United Klans of America, and, instead, endorsed by Mr. Scoggin and apparently cashed by Mr. W. F. Eubanks?

(Witness confers with counsel.)

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Ralph Powers Exhibit No. 3" appears on p. 2084.)²

Mr. APPELL. I hand you a copy of a canceled check dated June 28, 1965, payable to R. E. Scoggin, with Ralph Powers as one of the co-signers, which contains the endorsement "R. E. Scoggin," and shows that it was cashed at the First State Building and Loan Association.

(Witness confers with counsel.)

Mr. APPELL. Was that check issued to Mr. Scoggin in connection with the official functions of the Realm of the South Carolina Klan known as the Chesterfield County Sportsman's Club?

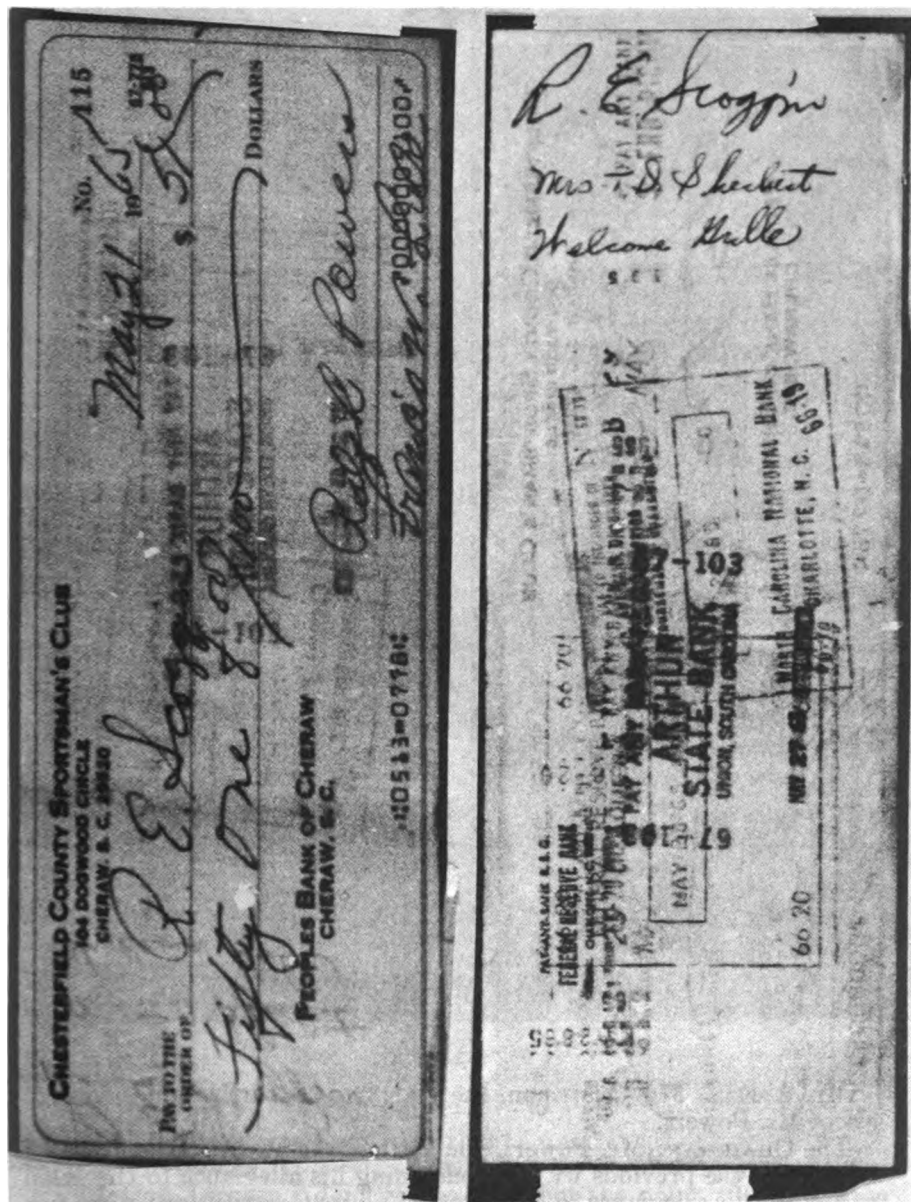
¹ Also used as Robert Scoggin Exhibit No. 25-B in Oct. 28, 1965, hearings.

² Also used as Robert Scoggin Exhibit No. 26-B in Oct. 28, 1965, hearings.

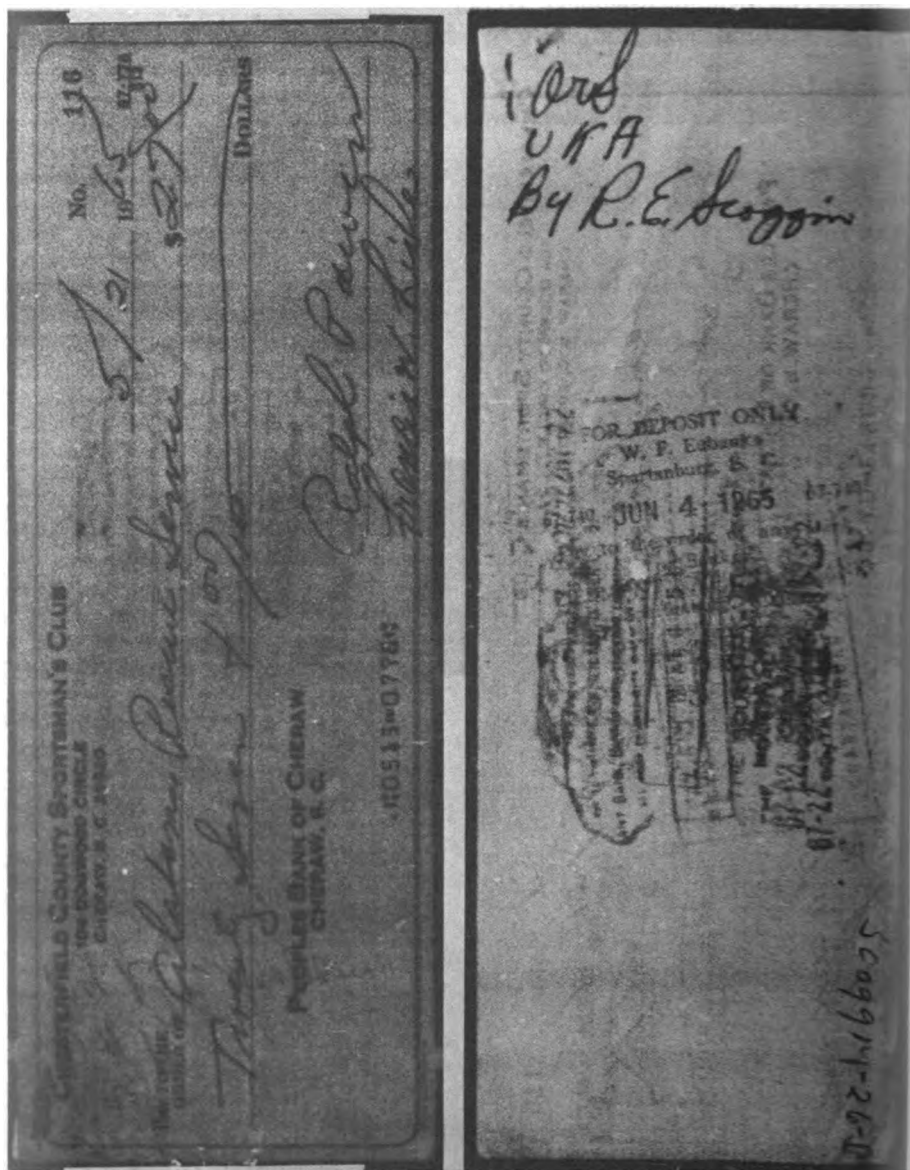
Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Ralph Powers Exhibit No. 4" appears on p. 2085.)¹

RALPH POWERS EXHIBIT NO. 2



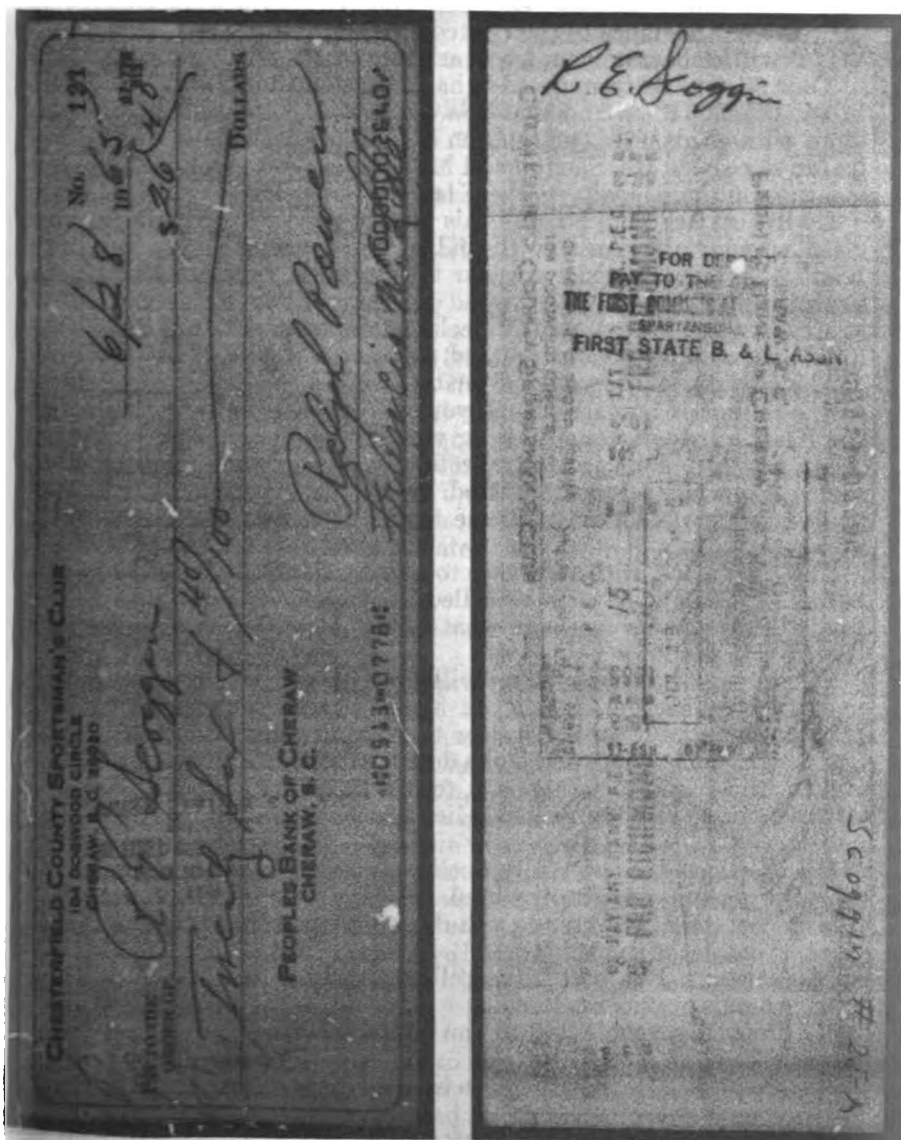
¹ Also used as Robert Scoggin Exhibit No. 25-A in Oct. 28, 1965, hearings.



Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of Mr. Powers.

The CHAIRMAN. Mr. Powers, you were in the hearing room when I questioned the previous witness concerning his allegiance to the Klan as against his allegiance to his country and its Constitution; were you not?

RALPH POWERS EXHIBIT No. 4



Mr. POWERS. I respectfully—

Mr. CHALMERS. I will stipulate that he was.

The CHAIRMAN. It is stipulated that he was. I appreciate that stipulation, because I don't want to belabor the point. I am coming to another one.

Would you agree, Counsel, to save going through the same material, may I ask him if his views and his responses are the same concerning the relative allegiance to the United States as against the Klan?

If it will embarrass you, I will ask him.

Your counsel has stipulated—that means he admits—that you were in the hearing room and that you did hear my questions to the previous witness about his affirmation before this committee, and what I had to say about Mr. Shelton and Mr. Dorsett going outside and commenting on their loyalty to the Klan and so on.

I will just ask you, because this leads to another question, do you consider your allegiance to the Klan, under the oath you take as a Klansman, to be superior to your allegiance to your country and its Constitution?

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Is your affirmation before this committee instead of the taking of an oath, which you did upon becoming a member of the Klan, a way of your showing your contempt for this committee?

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. That leads me to the ultimate question I have in mind.

The committee, with reference to those who affirm instead of swear before God might have to be called upon to make a judgment in its report on these hearings as to what it, the committee, feels is the position of such people.

Don't you worry about it, we will try to get at the bottom of it.

In that connection, I ask you again whether you feel that your allegiance to the Klan is superior to your allegiance to your country and to your obligation, under the decisions of the Supreme Court that I cited in my opening statement, to testify before congressional committees, saving only an honest belief that to so testify would incriminate you?

Mr. POWERS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. Mr. Powers, do you deny that you hold the position or office set out in the subpoena?

Mr. POWERS. I respectfully decline to answer that question based upon grounds previously stated.

Mr. POOL. Do you deny that you possess documents required by the subpoena?

Mr. POWERS. I respectfully decline to answer that question based upon grounds previously stated.

Mr. POOL. That is all.

The CHAIRMAN. Those questions do not weaken the stipulation that we made.

Mr. CHALMERS. And I certainly hope they don't strengthen it.

The CHAIRMAN. Touché.

(At this point Mr. Ashbrook left the hearing room.)

The CHAIRMAN. The witness is dismissed and discharged from his subpoena.

Call your next witness.

Mr. APPELL. Arthur Robert Nix.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NIX. I do.

**TESTIMONY OF ARTHUR ROBERT NIX, ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

Mr. APPELL. Will you state your name for the record?

Mr. NIX. Arthur Robert Nix.

Mr. APPELL. That is spelled N-i-x?

Mr. NIX. Yes, sir.

Mr. APPELL. Are you appearing before the committee in accordance with a subpoena served upon you at the Deering-Milliken Research Corporation, at 12:55 p.m., on the 11th day of October 1965?

Mr. CHALMERS. Mr. Chairman, if I may state, sir, I will stipulate whatever the subpoena shows we will stipulate to.

The CHAIRMAN. If it is important to state for the record—

Mr. APPELL. I asked him, Mr. Chairman, was he appearing in accordance with a subpoena served upon him at the Deering-Milliken Research Corporation at 12:55 p.m., on the 11th day of October 1965?

The CHAIRMAN. Counsel stipulates that the representations of the subpoena are correct?

Mr. CHALMERS. That is correct.

The CHAIRMAN. The representations on the return of the subpoena.

Mr. CHALMERS. Yes, sir.

Mr. APPELL. Mr. Nix, are you represented by counsel?

Mr. NIX. Yes, sir.

Mr. APPELL. Would counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Nix, when and where were you born?

Mr. NIX. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. POOL. Mr. Appell, did he give his age?

Mr. APPELL. I just asked him when and where he was born, sir, and he declined to answer.

Mr. POOL. Are you an adult?

Mr. NIX. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Nix, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on March 20, 1944, at Spartanburg, South Carolina.

Mr. NIX. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Nix, under the conditions of the subpoena served upon you, you were ordered to bring with you and to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Invisible

United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, South Carolina Rescue Service, Realm (state) of South Carolina, in your possession, custody or control or maintained by you or available to you as Grand Kligrapp, South Carolina Rescue Service, Realm (state) of South Carolina, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you in accordance with the provisions of your subpoena to produce the documents called for in section 1.

Mr. NIX. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I request that the witness be ordered and directed to produce the documents called for in paragraph 1.

The CHAIRMAN. Mr. Counselor, we have previously entered into the following stipulation: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

That stipulation is now entered into?

Mr. CHALMERS. It certainly is, sir.

The CHAIRMAN. Mr. Nix, I order and direct you to produce the documents called for by paragraph 1 of the attachment to the subpoena duces tecum served upon you.

Mr. NIX. I respectfully decline to produce those documents based upon the grounds heretofore stated.

Mr. APPELL. Mr. Nix, under the conditions of the subpoena served upon you, you were ordered to bring with you and to produce items called for in an attachment which was made a part of the subpoena, part 2 of which reads:

All books, records, documents, correspondence and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Kligrapp, South Carolina Rescue Service, Realm (state) of South Carolina, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. NIX. I respectfully decline to produce those documents based upon the grounds heretofore stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be ordered and directed to produce the documents.

The CHAIRMAN. It is stipulated that the previous stipulation as made with reference to paragraph 1 is applied to paragraph 2!

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Nix, I order and direct you to produce the documents ordered by the second paragraph of the attachment to the subpoena duces tecum served upon you.

(At this point Mr. Ashbrook returned to the hearing room.)

Mr. NIX. I respectfully decline to produce those documents based upon the grounds heretofore stated.

Mr. APPELL. Mr. Nix, are you the son-in-law of Don Cothran, the Grand Dragon for the Realm of Florida?

Mr. NIX. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Nix, were you a delegate to the supreme klonvokation held by the United Klans of America at the Dinkler-Tutwiler Hotel in Birmingham, Alabama, on September 5 and 6 of 1964?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a printed form, printed by the Dinkler-Tutwiler Hotel which states: "I will be attending the convention of the Alabama Rescue Ser.," with a request for two double bedrooms. It is signed "Robert Nix & Party, 205 Strange Ct., Sptg.," which I assume is the abbreviation for Spartanburg, South Carolina.

I hand you a copy of the request for hotel registration and ask you if you are the one that filed this with the Dinkler-Tutwiler Hotel?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Arthur Nix Exhibit No. 1" follows:)

ARTHUR NIX EXHIBIT NO. 1

MAKE YOUR HOTEL RESERVATIONS NOW!

I will be attending the convention of the . . .
ALABAMA RESCUE SER.
 (name of group or association)

I will arrive (day) 2nd (date) 5 (hour) 12:00 m.
 I will depart (day) 2nd (date) 6 (hour) 12:00 m.

Reserve for me the following accommodations 2.
 (check one) ☐ single ☒ double bedroom
☐ twin bedroom ☐ suite

YOUR NAME ROBERT NIX & PARTY
 ADDRESS 205 STRANGE CT
 CITY SPTG., S.C.

Mr. APPELL. I hand you a copy of the registration card of the Dinkler-Tutwiler Hotel, and ask you if you signed this registration card when you registered in the hotel for the klonvokation which I have mentioned.

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Arthur Nix Exhibit No. 2" and retained in committee files.)

Mr. APPELL. I ask you if you were present at the klonvokation when the United Klans of America meeting in klonvokation under the name of the Alabama Rescue Service reelected without opposition Robert Shelton as Imperial Wizard?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Were you accompanied on that trip, or did you join at the hotel, by the Grand Dragon for the Realm of South Carolina, Robert Scoggin?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. At the time you registered at the Dinkler-Tutwiler Hotel, did you hold the position of grand kligrapp, or secretary, for the Realm of South Carolina, which is known also by the name of the South Carolina Rescue Service?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Were other members of the realm on the grand level, as Grand Dragon Robert E. Scoggin—was he on the grand level as the Grand Dragon?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the Grand Klaliff Younger Newton?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the grand klokard James O. Davis, of Sumter, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the grand kludd Wilburn Samuel Cox, of Hemingway, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the grand klabee the gentleman who preceded you on the stand, Charles Elwood Maddox, of Camden, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the grand kladd William "Bill" Bullock, of West Columbia, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the grand klarogo Carlyle F. Lewis, Jr., of Sumter, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the grand klexter E. D. Huston, of Whitney, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the grand night-hawk Steve Broadway, of Camden, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the klokann chief Wilburn Esters Cox, of Hemingway, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was a member of the klokann committee Buddy Knox, of Columbia, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the Klan kleagle Theodore Boyce Spires, of Saluda Springs, South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Were you secretary of the Klavern to which the Grand Dragon, Mr. Scoggin, is also assigned?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a signature card filed for an account in the name of Lodge 21, United Klans of America, opened May 6, 1964, containing the signatures R. E. Scoggin, Arthur Robert Nix, and H. M. Smith. In showing you this, I put it to you as a fact, and ask you to affirm or deny the fact, that the signature Arthur Robert Nix as appears on this signature card is your signature.

(Witness confers with counsel.)

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Arthur Nix Exhibit No. 3-A.")

Mr. APPELL. Did you know Mr. Scoggin to be the exalted cyclops in addition to being Grand Dragon for the realm?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. In June of 1965, the 29th day of June 1965, was your name dropped from this account and thereafter the names on the card were R. E. Scoggin, J. M. Brown, R. L. Brown?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Arthur Nix Exhibit No. 3-B." Exhibits 3-A and 3-B appear on p. 2092.)

Mr. APPELL. Do you know J. M. Brown—

Mr. NIX. I respectfully decline—

Mr. APPELL. I am not finished yet. —to be chief of the security guard of the United Klans of America in South Carolina?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

ARTHUR NIX EXHIBIT No. 3-A

Lodge 21, United Klans of America
 (Continued from Part 1)

JOINT ACCOUNT, (Continued from Part 1)

ACCOUNT NUMBER

Regular, Special Savings

opened May 6, 64

The undersigned joint depositors hereby agree each with the other and with the South Carolina National Bank that they have read and agree that all transactions shall be subject to the provisions of this agreement, executed this _____ day of _____ 19 _____

R. E. Hoggins
 (1) Authorized Signature *Arthur Robert Nix*

H. M. Brown
 (2) Authorized Signature

Social Security No.

TYPE OR PRINT INFORMATION NOTED BELOW

ACCOUNT NAME *Lodge 21, United Klans of America*

(1) RESIDENCE ADDRESS *115 Saxon Ave.* PHONE _____

(2) RESIDENCE ADDRESS _____ PHONE _____

ARTHUR NIX EXHIBIT No. 3-B

LODGE 21, UNITED KLANS OF AMERICA
 (Continued from Part 1)

20-118 Corporation, Partnership, Unincorporated Association, Unincorporated Tradestyle

ACCOUNT NUMBER *59 0 0 0832 2*

12. The undersigned, as authorized by either a separate resolution, certificate or agreement, hereby certify that they have read and agree that all transactions shall be subject to the provisions of this agreement, and that any 2 signature(s) is/are required, executed this 29 day of June, 19 65

AUTHORIZED SIGNATURE

(1) *R. E. Hoggins*

(2) *H. M. Brown*

(3) *R. L. Brown*

(4) _____

(5) _____

(6) _____

NAME & TITLE (PLEASE TYPE)

TYPE OR PRINT INFORMATION NOTED BELOW

ACCOUNT NAME *Lodge 21, United Klans of America*

ADDRESS *818 Saxon Ave., Spartanburg*

Identification No.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask this witness.

The CHAIRMAN. Those are all of the questions?

Mr. APPELL. Yes, sir.

Mr. POOL. Does the Ku Klux Klan, including its young members, advocate fighting communism not only here in America but also in Vietnam?

Mr. NIX. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. I could ask a more pointed question, but I will refrain.

Mr. ASHBROOK. I have no questions.

The CHAIRMAN. The witness is excused and discharged from his subpoena.

Mr. NIX. Thank you, sir.

The CHAIRMAN. Please call your next witness.

Mr. APPELL. Furman D. Williams.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILLIAMS. I do.

TESTIMONY OF FURMAN DEAN WILLIAMS, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Would you state your full name for the record, please, sir?

Mr. WILLIAMS. Furman Dean Williams.

(Members of the subcommittee present at this point: Representatives Willis, Pool, and Ashbrook.)

Mr. APPELL. Are you represented by counsel?

Mr. WILLIAMS. Yes, sir.

Mr. APPELL. Will counsel identify himself for the record, please?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Williams, when and where were you born?

Mr. WILLIAMS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as granted to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Williams, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on January 7, 1936, in Cherokee County, South Carolina.

Mr. WILLIAMS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I will ask Mr. Chalmers if he will stipulate that the subpoena was served upon Mr. Williams at the Top Dollar Store, Broad and Main Streets, Orangeburg, South Carolina.

Mr. CHALMERS. I will stipulate if it shows that. I am certain that is it.

Mr. APPELL. Mr. Williams, the subpoena served upon you calls for you to bring with you and to produce before the committee documents described in three parts:

(1) All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Cherokee Sportsman's Club, South Carolina Rescue Service, Realm (state) of South Carolina in your possession, custody or control, or maintained by you or available to you as present or former official of the Cherokee Sportsman's Club, South Carolina Rescue Service, Realm (state) of South Carolina, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you under the conditions of the subpoena to produce the documents called for.

Mr. WILLIAMS. I respectfully decline to deliver to the committee any and all records as requested by the committee under subpoena dated October 13, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 13, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Weltner entered the hearing room.)

Mr. CHALMERS. The same stipulation, please, Mr. Chairman.

The CHAIRMAN. I think I better read it.

Mr. Chalmers, we have made the following stipulation all along: That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

That stipulation applies?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Proceed.

First, I order and direct you to produce the documents called for by paragraph 1 of the attachment to the subpoena duces tecum served upon you.

(Witness confers with counsel.)

Mr. WILLIAMS. I respectfully decline to deliver those documents based upon the grounds heretofore stated.

Mr. APPELL. Mr. Williams, under part 2 of the subpoena you are directed to bring with you and to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or former official of the Cherokee Sportsman's Club, South Carolina Rescue Service, Realm (state) of South Carolina, of the United Klans

of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Under the terms of the subpoena, I ask you to produce the documents called for in part 2.

(Witness confers with counsel.)

Mr. WILLIAMS. I respectfully decline to produce those documents based on the grounds heretofore stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be ordered and directed to produce the documents called for in part 2.

The CHAIRMAN. The same stipulation just made applies?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I order and direct you to produce those documents.

(Witness confers with counsel.)

Mr. WILLIAMS. I respectfully decline to produce those documents based on the grounds heretofore stated.

Mr. APPELL. Part 3 of your subpoena called for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, [entitled] "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

Under the conditions of your subpoena, I ask you to produce the documents called for.

Mr. WILLIAMS. I respectfully decline to produce those documents based on the grounds heretofore stated.

Mr. APPELL. Mr. Williams, what is your educational background?

Mr. WILLIAMS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I put it to you as a fact, that your education is that of the 10th grade. I ask you to affirm or deny the fact.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you joined the United Klans of America, Knights of the Ku Klux Klan, on September 12, 1963.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were the first member of the Klavern which became known as the Cherokee Sportsman's Club.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were known within that Klavern as No. 2972.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you became exalted cyclops of the Klavern on March 4, 1964.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Williams, the committee has subpoenaed, by subpoena duces tecum, the bank records of the Cherokee Sportsman's Club, address Route 1, care of Dean Williams, Gaffney, South Carolina.

There are three signature cards which I will exhibit to you. The first shows that the account was opened on November 23, 1963, with a deposit of \$15. The signatures, the authorized signatures, on the first card were Dean Williams, S. F. Blanton, J. W. Peterson.

I put it to you as a fact, and ask you to affirm or deny the fact, that they were on the original card.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Before showing you the copy again, the second card contains the name of Dean Williams, effective June 2, 1964.

I cannot read the second name.

The third name is John Weaver.

A new card was filed on August 12, 1964, containing the names Dean Williams, W. O. Jolly, Jr., Bobby Joe Cooper.

I hand you the copy of the signature card back and put it to you as a fact, and ask you to affirm or deny the fact, that these were the second and third set of authorized signatures to the account in the name of the Cherokee Sportsman's Club.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Furman Williams Exhibits Nos. 1-A through 1-C," respectively, appear on pp. 2097 and 2098.)

Mr. APPELL. Mr. Williams, I hand you a copy of a check, a canceled check, dated September 1, 1964, paid to the order of "R. E. Scoggins," in the amount of \$9.25, the purpose for which drawn is "August—Tax." Typed over the cosigners for "Cherokee Sportsman Club" is W. O. Jolly, Jr., and Dean Williams.

I ask you if this check was given to Mr. Scoggin as it appears on its face as the Klavern tax due to the realm under the Constitution and Laws of the United Klans of America.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Williams, I ask you to look at the reverse of that check and observe the endorsement thereon. Can you advise the committee why this check, payable to "R. E. Scoggins," showing on its face "August—Tax," was apparently later deposited to the account of the Hayne Esso Station, Hayne and Williams Streets, Spartanburg, South Carolina?

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Furman Williams Exhibit No. 2" appears on p. 2099.)¹

Mr. APPELL. Mr. Williams, in the latter part of November or early December 1964, did the Cherokee Sportsman's Club cease to exist as a Klan of the United Klans of America, Realm of South Carolina?

¹ Also used as Robert Scoggin Exhibit No. 23 in Oct. 28, 1965, hearings.

FURMAN WILLIAMS EXHIBIT No. 1-A

NAME	CHEROKEE SPORTSMAN'S CLUB,	<input type="checkbox"/> INDIVIDUAL
ADDRESS	Route 1, C/o Dean Williams, Gaffney, SC	<input type="checkbox"/> PARTNERSHIP
		<input type="checkbox"/> FIRM

BANK OF GAFFNEY, Gaffney, South Carolina

You are authorized to recognize any of the signatures subscribed below in the payment of funds or the transaction of any business for this account. It is agreed that all transactions between the bank and the undersigned shall be governed by the contracts printed on the reverse side of this card.

AUTHORIZED SIGNATURE(S) OF

any

(Requires 2 signatures)

DATE OPENED	11-23-63	INITIAL DEPOSIT \$	15.00
SIGNATURE AUTHORITY DATED	ACCOUNT OPENED BY	ds	

FURMAN WILLIAMS EXHIBIT No. 1-B

NAME	CHEROKEE SPORTSMAN'S CLUB	<input type="checkbox"/> INDIVIDUAL
ADDRESS	Route 1, C/o Dean Williams, Gaffney, S. C.	<input type="checkbox"/> PARTNERSHIP
		<input type="checkbox"/> FIRM

BANK OF GAFFNEY, Gaffney, South Carolina

You are authorized to recognize any of the signatures subscribed below in the payment of funds or the transaction of any business for this account. It is agreed that all transactions between the bank and the undersigned shall be governed by the contracts printed on the reverse side of this card.

AUTHORIZED SIGNATURE(S) OF

(Requires any 2 signatures)

Dean Williams

John A. Weaver weaver

DATE OPENED	6-2-64	INITIAL DEPOSIT \$	
SIGNATURE AUTHORITY DATED	ACCOUNT OPENED BY		

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that that did happen.

FURMAN WILLIAMS EXHIBIT No. 1-C

☐ MR.
☐ MRS.
☐ NAME
☐ DR.

NAME **CHEROKEE SPORTSMAN'S CLUB**
c/o **DEAN WILLIAMS**
ADDRESS **RT. 1, GAFFNEY, S. C.**

☐ DEPOSIT
☐ WITHDRAWAL
☐ BALANCE

BANK OF GAFFNEY, Gaffney, South Carolina

You are authorized to recognize the signature subscribed below in the payment of funds or the transaction of any business for the account. It is agreed that all transactions between the bank and the undersigned shall be governed by the contracts printed on the reverse side of this card.

AUTHORIZED SIGNATURE _____

Dean Williams
A. C. Gaffney
Bob Joe Cooper

(requires any 2 signatures)

AUG 14 1964

INITIAL
DEPOSIT _____ACCOUNT
OPENED BY _____

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that some of the membership of this Klavern formed an organization which is known within Klan circles as the Underground.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you headed the organization known as the Underground until recently.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the members of the Underground which you headed have trained themselves in the use of explosives, rifles, and are advocates of violence.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

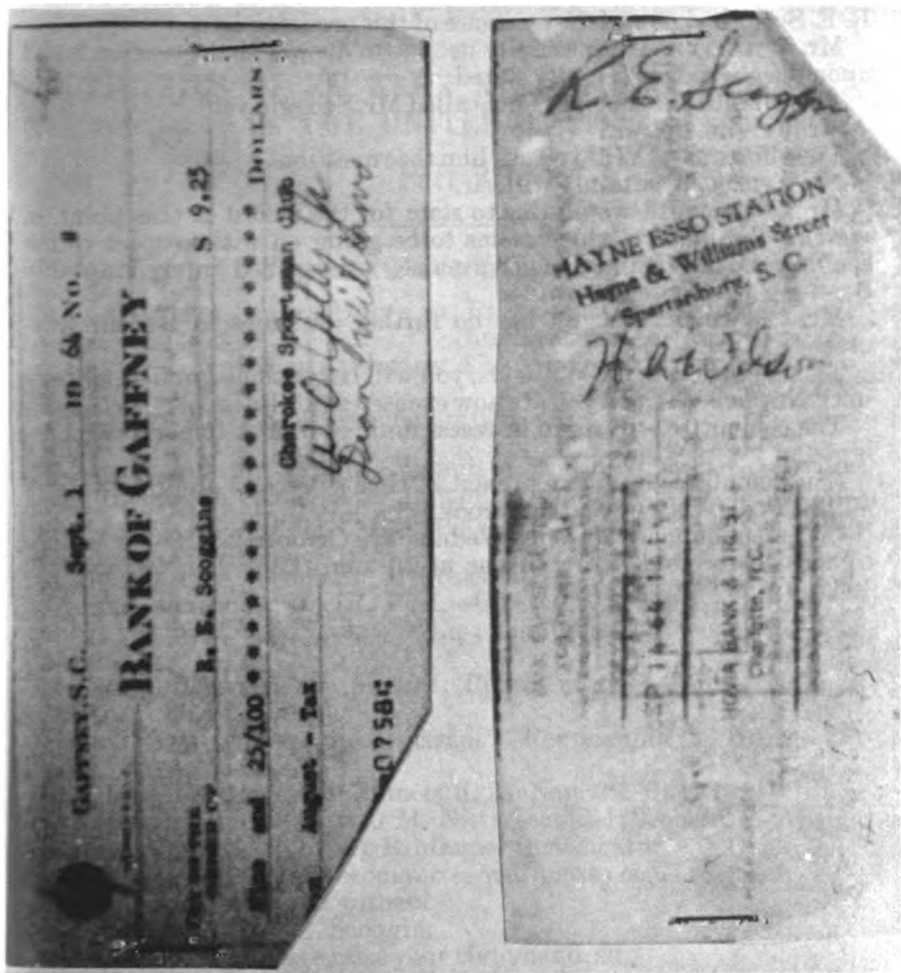
The CHAIRMAN. Mr. Williams, I ask you if you have any knowledge that other Klaverns have similar groups, though possibly not known by the technical name of the Underground?

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Williams, I ask you if the organization known within Klan circles has recently had a change of leadership?

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

FURMAN WILLIAMS EXHIBIT No. 2



Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the leadership in early September changed into the hands of Joe McCluny.

The CHAIRMAN. What?

Mr. APPELL. I put it to him as a fact, and asked him to confirm or deny the fact, that in early September of this year the leadership of this Klan changed into the leadership of Joe McCluny.

Mr. WELTNER. Is that the leadership of the Underground?

Mr. APPELL. Yes, sir.

Mr. WELTNER. September 1964?

Mr. APPELL. September 1965.

Mr. WILLIAMS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact that the Grand Dragon for the Realm of South Carolina, R. E. Scoggin, knew of the existence of this organization.

Mr. WILLIAMS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. You have not called Mr. Scoggin yet?

Mr. APPELL. No, sir.

The CHAIRMAN. Will you ask him that question?

Mr. APPELL. I certainly will, sir.

Mr. Chairman, I would like to state for the record at this point, in view of the inquiry which seems to be going on with respect to the spelling of the Grand Dragon's name, it is spelled interchangeably S-c-o-g-g-i-n or S-c-o-g-g-i-n-s.

Mr. Chairman, the staff has no further questions to ask this witness.

The CHAIRMAN. Mr. Williams, you will be continued under subpoena until November 15, but you are now excused as a witness.

The committee will stand in recess until 10 o'clock tomorrow morning.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Ashbrook.)

(Whereupon, at 4:20 p.m., Wednesday, October 27, 1965, the subcommittee recessed, to reconvene at 10 a.m., Thursday, October 28, 1965.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 2

THURSDAY, OCTOBER 28, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Weltner, Ashbrook, and Buchanan.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will please come to order.

Mr. Appell, call the first witness.

Mr. APPELL. Robert E. Scoggin.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCOGGIN. I do.

The CHAIRMAN. Proceed, Mr. Appell.

TESTIMONY OF ROBERT E. SCOGGIN, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Would you state your full name for the record, please, sir?

Mr. SCOGGIN. Robert E. Scoggin.

Mr. APPELL. Would you spell your last name for the record, please, sir?

Mr. SCOGGIN. S-c-o-g-g-i-n.

Mr. APPELL. Are you appearing before the committee this morning in accordance with a subpoena served upon you at your residence, 818 Saxton Street, Spartanburg, South Carolina, at 12:20 o'clock on the 11th day of October 1965?

Mr. SCOGGIN. I am.

Mr. APPELL. Are you represented by counsel?

Mr. SCOGGIN. I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Scoggin, when and where were you born?

Mr. SCOGGIN. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Scoggin, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on May 12, 1922, in Polk County, North Carolina, and that at the time of your birth your last name was spelled S-c-o-g-g-i-n-s.

Mr. SCOGGIN. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Scoggin, will you set forth your educational background?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that your education is that of elementary school.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Will you give the committee your employment background?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that as a part of your employment background, you served in the United States Navy from August 29, 1942, until October 17, 1945.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in addition to being Grand Dragon for the Realm of South Carolina, you are self-employed as a plumbing and electrical contractor.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, I put it to you as a fact, and ask you to affirm or deny the fact, that you have acted as the exalted cyclops of a Klavern located in Spartanburg, South Carolina, known as the Twenty-One Club.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are currently Grand Dragon of the Realm of South Carolina.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, under the condition of the subpoena served upon you, on October 11, 1965, you were commanded to bring with you and to produce certain documents which were set forth on the subpoena, an attachment to the subpoena, and which was made a part of the subpoena.

Part 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Twenty-One Club, South Carolina Rescue Service, Lodge 21, United Klans of America, Realm (state) of South Carolina, in your possession, custody or control, or maintained by you or available to you as Grand Dragon, South Carolina Rescue Service, Realm (state) of South Carolina, and as an officer or employee of Twenty-One Club and/or Lodge 21, United Klans of America, Realm (state) of South Carolina.

Under the terms of the subpoena, I ask you to produce the documents in your possession.

Mr. SCOGGIN. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by the House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I request that the witness be ordered and directed to produce the documents called for in part 1 of the attachment.

The CHAIRMAN. Mr. Chalmers, we have entered into the following stipulation in previous instances: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

That stipulation is now entered into with reference to this witness?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I am not sure whether you were in the audience all along, Mr. Scoggin. I want to say to you that I am going to direct you, order and direct you, to produce those documents, which carries the meaning that the committee is in disagreement with your invocation of constitutional privileges and your failure to produce these documents would, in our opinion, subject you to a contempt citation.

With that statement, I now order and direct you to produce those documents.

Mr. SCOGGIN. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, part 2 of the attachment which was made a part of the subpoena calls for you to produce :

All books, records, documents, correspondence and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Dragon, South Carolina Rescue Service, Realm (state) of South Carolina and as an officer or employee of Twenty-One Club, and/or Lodge 21, United Klans of America, Realm (state) of South Carolina, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

In accordance with the terms of the subpoena, I ask you to produce the documents called for in part 2.

Mr. SCOGGIN. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

The CHAIRMAN. The stipulation will apply to this paragraph?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I order and direct you to produce those documents.

Mr. SCOGGIN. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

(At this point Mr. Weltner left the hearing room.)

Mr. APPELL. Mr. Scoggin, part 3 of the subpoena calls for you to produce :

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, [captioned] "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask you to produce those documents called for in section 3.

Mr. SCOGGIN. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you have never filed an individual tax return.

Mr. SCOGGIN. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Scoggin, in this instance the subpoena refers to an individual income tax return. The information indicates that you did not file any. I wish to say that since this refers to your individual income tax return, I will not order you to produce the documents and I respect your right to invoke the fifth amendment.

This draws a distinction between my order a while ago and the situation we are now facing here. In the first two paragraphs you were ordered to produce documents in your possession having to do with the organization. You have no right to invoke the fifth amendment on that.

The reference to your individual income tax returns draws a distinction between our views with reference to your right to invoke the

privileges of the Constitution in one case involving individual affairs and in the other involving your possession of documents concerning your organization.

(At this point Mr. Weltner returned to the hearing room.)

Mr. BUCHANAN. Mr. Scoggin, is your failure to produce these records, other than the income tax information which I understand you have invoked the fifth amendment upon because you feel it might tend to incriminate you to produce them—is your failure to produce these other documents because your loyalty to the Ku Klux Klan exceeds your loyalty to the United States, or, in fact, because you feel this might tend to incriminate you?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. BUCHANAN. Is the Invisible Empire, in your mind, an empire to which you owe greater allegiance than the United States?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Scoggin, I put it to you as a fact, and ask you to affirm or deny the fact, that you have been a member of the Ku Klux Klan organization since the year 1957.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a copy of an application for a Post Office Box, 4144, Spartanburg, South Carolina, an application made by R. E. Scoggin for the U.S. Klans, Inc., described on the application as a fraternal organization, signed R. E. Scoggin, 12-29-58.

I put to you as a fact, and ask you to affirm or deny the fact, that you were the applicant for this post office box.

(Witness confers with counsel.)

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 1" appears on p. 2106.)

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in what was known as Spartanburg Unit No. 21 under the U.S. Klans, which was under the leadership of Imperial Wizard Eldon Edwards, that you were the EC of Unit 21, Spartansburg, South Carolina.

I put it to you as a fact, and ask you to affirm or deny the fact.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. EC means exalted cyclops?

Mr. APPELL. Yes, sir.

I put it to you as a fact, and ask you to affirm or deny the fact, that within the organization known as the U.S. Klans you held the position of grand titan. I ask you to affirm or deny the fact.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.


Mr. APPELL. I put it to you as a fact that within the organization known as the U.S. Klans that you held the position of Grand Dragon for the State of South Carolina. I ask you to affirm or deny the fact.

ROBERT SCOGGIN EXHIBIT No. 1

7-12-65

Spartanburg, S. C. 29301

Certified to be a true copy.


 R. B. Burnett, Postmaster

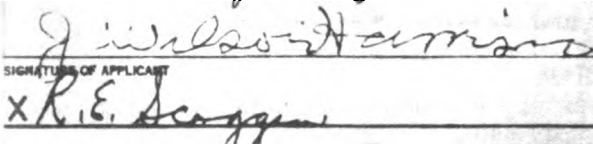
FOR T. POSTMASTER POST OFFICE USE ONLY	DATE BOX OPENED 12/9/58	DATE BOX CLOSED	BOX NO. 4144
APPLICANT PLEASE NOTE. Completion of this application signifies your willingness to comply with all postal rules relating to the opening and use of Post Office boxes.			
NAME OF APPLICANT (Full name) R. E. Scoggin		NAME OF FIRM OR CORPORATION (If box is rented for use of either) U.S. KLANS Inc.	
KIND OF BUSINESS Fraternal Organization			
BUSINESS ADDRESS (No., street, and zone) P.O. Box No.		HOME ADDRESS (No., street, and zone) 818 Saxon Ave.	

REFERENCES

NAME AND ADDRESS OF REFERENCE


 NAME AND ADDRESS OF REFERENCE

SIGNATURE OF APPLICANT


 x R. E. Scoggin

DATE OF APPLICATION

12-29-58

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that during the days of the U.S. Klans, during the leadership of Eldon Edwards, that you knew A. W. Holman of Columbia, South Carolina, to be the Imperial Klabebe.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that as a result of a break between the U.S. Klan and Mr. Holman, that he formed an organization known as the Chessmen.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you knew Robert M. Shelton, of Tuscaloosa, Alabama, to be a Grand Dragon under the U.S. Klans.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you knew that Robert M. Shelton was relieved from his office of Grand Dragon for the State of Alabama by Imperial Wizard Eldon Edwards because he failed to make proper accounting of funds received by him in his position of Grand Dragon for the Realm of Alabama. I ask you to affirm or deny the fact.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you knew as Grand Dragon of the U.S. Klans R. L. Davidson of Macon, Georgia.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that after the death of Eldon Edwards in 1960, that R. L. Davidson became the Imperial Wizard of the U.S. Klans.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that with the Grand Dragon of Georgia, Mr. Davidson broke away from the U.S. Klans and formed an organization which was chartered in the name of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., chartered in the State of Georgia.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that it is under that charter that the organization is operating today as United Klans of America.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that between February of 1961, when the United Klans was incorporated, and July 8, 1961, there were merged together the United Klans and the Alabama Knights of the Ku Klux Klan then headed by Grand Wizard Shelton.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the organizational meeting following the merger of these two organizations was held on July 8, 1961, in Atlanta, Georgia.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that there were some 500 Klansmen from seven Southern States present at the meeting at the Indian Springs for the purpose of consummating the formal structure of this new organization.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that when Mr. Shelton appeared at that meeting that he came accompanied by an eight-man security squad dressed in white shirts,

red ties, khaki paratroop pants, white belts, black boots, Marine-like helmets, with a bayonet hooked to the left side of each belt.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that it was at this organization where dues to the imperial office at the rate of 25 cents per member were fixed to be paid to the imperial office and that this money was to pay the salary and expenses of Imperial Wizard Shelton.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that at that organizational meeting you were elected the Imperial Kladd of the United Klans of America, Knights of the Ku Klux Klan.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the dues remained, the dues to the imperial level remained, as 25 cents a month until an amendment to the Constitution and Laws adopted at a klonvokation in Birmingham, Alabama, in 1964, when it was raised to 50 cents per member.

Mr. SCOGGIN. I decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. And that 50 cents per member was to be remitted by every member within the Invisible Empire embracing a number of States presided over by Imperial Wizard Robert M. Shelton; is that correct?

Mr. APPELL. That is right, sir. However, Mr. Chairman, our files reflect that, as we noted in the record already, the close vote by which this increased assessment was carried at the klonvokation, that many Klaverns did not start complying with the additional increase until sometime in March or April 1965 even though the constitution was amended in September 1964.

I put it to you as a fact that at that organizational meeting held July 8, 1961, that Robert M. Shelton was elected without opposition as the Imperial Wizard; I ask you to affirm or deny the fact.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that he has held that office since without opposition.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it you as a fact, and ask you to affirm or deny the fact, that Robert L. Thompson was elected at that organizational meeting in July 1961 as the Imperial Klaliff, or vice president.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact—

The CHAIRMAN. If you have a number of them, embody all of them in one question and just read slowly.

Mr. APPELL. All right.

I put it to you as a fact, and ask you to affirm or deny the fact, that Robert Bing, Sr., of Jonesboro, Georgia, was elected Imperial Klokard; that Robert A. Creel, of Bessemer, Alabama, was elected Imperial Kludd; that Alvin Sisk, of Bessemer, Alabama, was elected Imperial Kligrapp; that Fredrick Smith, of Tuscaloosa, was elected Imperial Klabee; that Billy Henderson was elected Imperial Klexter; and that Dr. Pedigo, of Tennessee, was elected Imperial Night-Hawk.

I ask you to affirm or deny the fact.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the Robert Creel, elected to the position of Imperial Kludd, is now Grand Dragon for the Realm of Alabama.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. BUCHANAN. Mr. Appell, was this meeting booked in the name of the Ku Klux Klan to which you referred? Is that how they booked the facilities, in the name of the Ku Klux Klan?

Mr. APPELL. As to that founding meeting in 1961, Mr. Buchanan, we do not know how they booked that one.

Mr. Scoggin, did you attend the klonvokation held in Birmingham, Alabama, on September 5 and 6 of 1964 at the Dinkler-Tutwiler Hotel?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you attend a klonvokation held at the same hotel in February of 1964?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a copy of a hotel registration card of the Dinkler-Tutwiler Hotel, Birmingham, Alabama, signed "Mr. and Mrs. R. E. Scoggin"; firm represented: "Alabama Rescue Service."

I hand you a copy of this card and put it to you as a fact, and ask you to affirm or deny the fact, that you signed that card when you registered at the hotel on February 8, 1964.

(Witness confers with counsel.)

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 2." Previously marked "Robert Shelton Exhibit No. 15-E." See p. 1653.)

Mr. APPELL. I hand you two documents. One is a request of the hotel, advance request for a reservation, on a printed card by the hotel, which says, "I will be attending the convention of the Alabama Rescue Service." It is signed "Mr. and Mrs. R. E. Scoggin," 818 Saxon Avenue, Spartanburg, South Carolina, and I show you a copy of the actual registration executed at the time you registered into the hotel.

I put it to you as a fact, and ask you to affirm or deny the fact, that the information contained on the request for registration and the registration card itself is fact.

(Witness confers with counsel.)

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Robert Scoggin Exhibits Nos. 3-A and 3-B," respectively, and retained in committee files.)

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that at the klonvokation on February 8 and 9, 1964, that Robert Thompson, who was elected Klaliff in 1961, was again reelected to the office of Imperial Klaliff, or vice president; that W. O. Perkins was elected Imperial Kligrapp, or secretary; that Fredrick G. Smith, who was also elected in 1961, was again elected to the office of Imperial Klabee, or treasurer.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the klonvokation which was held on September 5 and 6 at the same hotel, also in the name of the Alabama Rescue Service, they elected the following officers: Imperial Wizard, Robert Shelton, without opposition; as the Imperial Klokard, Robert Collins; as the Imperial Kludd, Reverend George Dorsett; as the Imperial Kladd, Robert Hudgins, of Raleigh, North Carolina; as the Imperial Klarogo, Walter Brown, of Sumter, South Carolina; as the Imperial Klexter, Robert Korman, of Miami, Florida; and as the Imperial Night-Hawk, Dr. Pedigo, who was elected to that similar position at the founding convention in 1961.

I ask you to affirm or deny the fact.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that J. L. Brown, a member of your Klavern, served on the nominating committee.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. We had earlier mentioned that it was at this klonvokation that the assessment to the imperial was increased. I put it to you as a fact, and ask you to affirm or deny the fact, that the vote on that issue was carried by a vote of 163 for, and 144 against.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. How did you vote?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, it was announced at that klonvokation that the minutes of the klonvokation were to be distributed to each realm so that the Grand Dragons could have copies of the proceedings.

Did you receive proceedings of that klonvokation?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you still have them in your possession?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, the committee's investigation establishes that the United Klans of America uses the opportunities of its public rallies to assemble its Grand Dragons together for the purpose of discussing items of common interest to the United Klans of America.

(Document marked "Robert Scoggin Exhibit No. 4" follows:)

Mr. APPELL. Mr. Scoggin, were you aware of the fact when you were there in November 1964, that there had been a bombing of a residence of a Negro family by the name of Godfrey in Jacksonville, Florida, in February?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. One of the persons arrested in connection with that bombing was named Rosecrans,¹ and he confessed to the fact that he and some others had conspired to bomb this residence because the young Godfrey boy was the first Negro to attend public schools there and was attending school as a result of a court order.

During the time that you were staying at the Capri Motel, did you participate in discussions with respect to Rosecrans?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that some of the coconspirators in that case who were not affiliated with the United Klans of America, but with the United Florida Ku Klux Klan, met with the leadership of the United Klans of America at the Capri Motel.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that a part of the discussion that involved Rosecrans was how to get him out of jail and, thereby, take care of him after you got him out because he gave a confession.

Mr. SCOGGIN. I respectfully decline to answer that question based upon grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Robert Creel, the Grand Dragon of Alabama, became so intoxicated at 3 o'clock in the morning on November 22, 1964, he wanted to go into the city and shoot his way into a restaurant in order to get some breakfast.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you people had to subdue him in order to keep him from carrying out his threat.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, did you attend a rally or a meeting of Klan leaders on May 15-16, 1965, in Natchez, Mississippi?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you did attend, that you registered at the Eola Hotel, and that you were accompanied by W. S. Cox, an official of the United Klans of America, Realm of South Carolina.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

¹ William S. Rosecrans.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that also registered there at the same time was Robert M. Shelton, the Imperial Wizard; Calvin Craig, the Grand Dragon for Georgia; Raymond R. Anderson, the Grand Dragon of Tennessee; Robert M. Creel, the Grand Dragon of Alabama; Don Cothran, the Grand Dragon of Florida, together with other United Klans of America officials throughout the Invisible Empire.

I ask you to affirm or deny the fact.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, I put it to you as a fact, and ask you to affirm or deny the fact, that the United Klans of America, also known as the South Carolina Rescue Service, is not chartered to do business in the State of South Carolina.

I ask you to affirm or deny the fact.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Does the law of South Carolina require registration?

Mr. APPELL. To my understanding it does, sir, by a foreign corporation.

Mr. Scoggin, I put it to you as a fact, and ask you to affirm or deny the fact, that there was elected to your grand board as the Grand Klaliff, Younger Newton, of Columbia, South Carolina; as grand klokard, James O. Davis, of Sumter, South Carolina; as grand kludd, Wilburn Samuel Cox, of Hemingway, South Carolina; as grand kligrapp, Robert Nix, of Spartanburg, South Carolina; as grand klabee, Charles E. Maddox, of Camden, South Carolina; as grand kladd, William "Bill" Bullock, of West Columbia, South Carolina; as grand klarogo, Carlyle Lewis, Jr., of Sumter, South Carolina; as grand klexter, E. D. Huston, of Whitney, South Carolina; as grand night-hawk, Steve Broadway, of Camden, South Carolina; as klokann chief, Wilburn Esters Cox, of Hemingway, South Carolina; as grand kleagle, Theodore Boyce Spires, of Pocalla Springs, South Carolina.

The CHAIRMAN. Do you have the date of the meeting?

Mr. APPELL. I do not have the date, Mr. Chairman.

I ask you to affirm or deny the fact.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, I hand you a reproduction of a newspaper clipping which is dated September 27, 1965, the Rock Hill, South Carolina, *Herald*, which contains a photograph of a man in a Klan robe identified in the photograph as Steve Sloan; identified in the story as an organizer for the Realm of South Carolina.

I ask you if this identity of Sloan is factual?

(Witness confers with counsel.)

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 5" and retained in committee files.)

The CHAIRMAN. Mr. Reporter, you will insert the documents into the record at all times in the order that they were commented upon and/or exhibited to the witness.

Mr. APPELL. Mr. Scoggin, in St. Augustine, Florida, in the summer of 1964, one of the principal rabble-rousers for the violence that occurred there, was a man who is at times referred to as Reverend but is known as Connie Lynch.

Do you know Connie Lynch?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you did know Connie Lynch as a Klansman.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that on a personal invitation from you, Connie Lynch spoke at a rally in Spartanburg, South Carolina, on August 17, 1963.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that speaking on the same platform with Connie Lynch was Imperial Wizard Shelton; the Grand Dragon of Georgia, Calvin Craig; the Grand Dragon of North Carolina, James R. Jones; and yourself, introduced as Grand Dragon of South Carolina.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. When I interviewed Mr. Shelton on April 14, 1965, he identified you to me as the Grand Dragon of the Realm of South Carolina.

Was the information that Mr. Shelton gave me in an interview on April 14, 1965, factual?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Shelton also advised that Connie Lynch was a man who would never appear on a United Klans of America platform.

In light of what I read to you, is that information factual?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, I earlier mentioned the elections on July 8, 1961, and the election of Alvin Sisk as the Imperial Kligrapp or secretary.

Did you accompany Sisk in an airplane ride which had scheduled as its final destination Washington, D.C., which crashed, and as a result of which Alvin Sisk died?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Weltner left the hearing room.)

Mr. APPELL. I have an article which appeared in the *Greenville*, South Carolina, *News*, of 8-28-63, which contains as part of the story a photograph of Imperial Wizard Shelton in a hospital bed. It looks like he might have had a broken wrist as a result of the accident.

This states that Alvin Sisk, the pilot, died as a result of injuries sustained; that the other three passengers were identified as Fredrick Smith, Bob Scoggin, and Imperial Wizard Shelton.

I ask you if the story is factual?

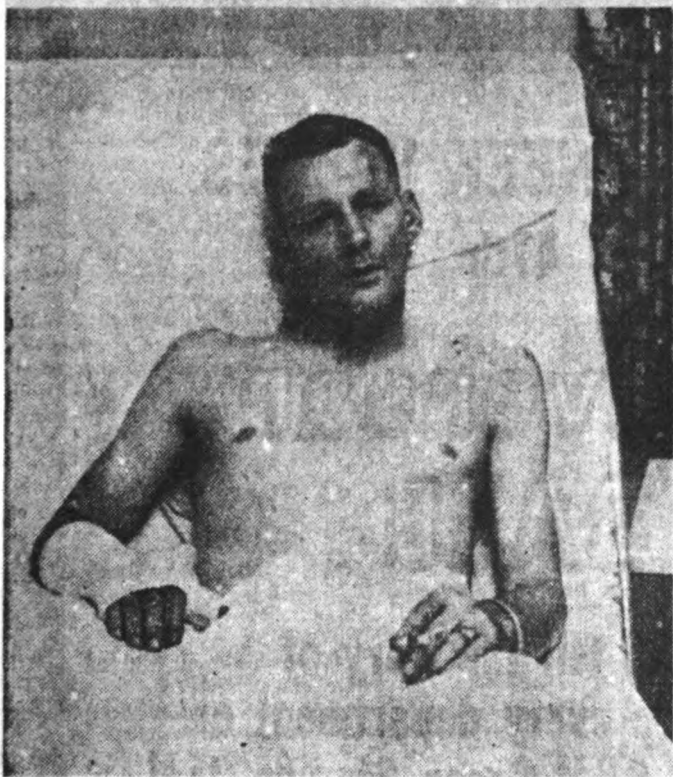
Mr. Scoggin. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 6" follows:)

ROBERT SCOGGIN EXHIBIT No. 6
[Greenville (S.C.) News, August 28, 1963]

PAGE EIGHT

Klan Leader Hurt



SENECA—Imperial Grand Wizard and Grand Dragon Robert M. Shelton of the Alabama Ku Klux Klan, who got a broken arm and other minor injuries in a plane crash near here Monday, is shown in Oconee Memorial Hospital here. Shelton and a companion, Frederick G. Smith, left the hospital Tuesday morning.

Won't Continue To Washington

Klansman To Go To Pilot's Rites

By DOUGLAS MAULDIN
News Staff Writer

WALHALLA — A top-ranking Alabama Ku Klux Klan leader, injured in a plane crash near here Monday, was discharged from a hospital Tuesday morning and announced he would not continue to his original destination, Washington, D. C., where a civil rights march is scheduled Wednesday.

Instead, Robert M. Shelton, imperial grand wizard and grand dragon of the Alabama Ku Klux Klan, said he would go to Madisonville, Ky., for funeral services of Alvin D. Sisk, pilot of the ill-fated craft.

Sisk, 350-pound man who escaped barely alive early Monday afternoon with Shelton and Frederick G. Smith, all of Tuscaloosa, Ala., died in Oconee Memorial Hospital in Seneca at 3:15 p.m. Tuesday.

Shelton and Smith, who had lesser injuries, pulled the pilot from the wreckage.

Oconee County Coroner Floyd Owens said Sisk's death was caused by head and chest injuries.

The single engined plane, probing for a break in dense fog cloaking the mountainous area at the time, smashed into trees on Medlin Mountain 25 miles north of Walhalla.

Coroner Owens empaneled a jury but said he did not know whether an inquest would be necessary.

Davenport Funeral Home of Walhalla shipped Sisk's body to his mother's home in Madisonville, according to hospital authorities.

EN ROUTE TO SPARTANBURG

When the Cessna Skylane cracked up about 1:30 p.m. 75 yards off U. S. Highway 107, the three men were en route to Spartanburg, where they said they were to

pick up a fourth passenger, identified as Bob Scoggins, active with Piedmont area Klan affairs.

Accompanied by Scoggins, Shelton and Smith appeared at Sheriff D. H. (Buck) Crenshaw's office early Tuesday afternoon. They talked with the sheriff and the coroner and indicated they would be glad to assist in any way possible with investigation of the crash.

They said their immediate concern was with the family of the dead pilot and they planned to attend his funeral services.

Coroner Owens said Shelton and Smith blamed a faulty altimeter with the accident. They said Sisk had dropped the light craft down from 11,000 feet to 4,500 feet searching for an opening in the fog when they suddenly hit the trees, 40 minutes out of Chattanooga, Tenn., their last refueling stop.

The pilot was apparently unaware of the highway's presence, as visibility at ground level Monday afternoon was extremely limited. The plane skimmed over the road by about 100 feet before slicing a path 15 yards wide into the trees.

Investigators of the Federal Aviation Agency and the S. C. Aeronautics Commission came to the scene Tuesday to determine officially why the plane fell.

The roped-off wreckage in a clump of trees was under guard by Civil Defense auxiliary police and Sheriff Crenshaw's deputies all night.

"BUSINESS TRIP"

Shelton nor Scoggins would reveal the purpose of the Washington trip, except to say it was a "business trip."

Scoggins, a Spartanburg plumber, indicated he would continue on to the Capital City, however.

Sheriff Crenshaw said about 75 Ku Klux Klan pamphlets were in the plane's wreckage.

Mr. APPELL. It seems that, according to the story, Mr. Shelton was hospitalized only for 2 days.

Did you receive any compensation as a result of being involved in this plane crash?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. What insurance company made settlement of any filed by you or Mr. Shelton?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, I hand you a clipping from the Rock Hill, South Carolina, *Herald*, of September 2, 1965, which reads:

A Klan rally cancelled last month has been reset for Sunday at 5:00 p.m. on the Hollis Lakes Road between new and old Highway 5; William Duncan, who identified himself as the Kleagle, told the *Herald* today.

He said that Bob Scoggin of Spartanburg, state Klan leader, would speak and that a cross would be burned.

Is the identity of William Duncan as kleagle or organizer factual?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 7" and retained in committee files.)

Mr. APPELL. Mr. Scoggin, we, in interrogating Imperial Kludd or Chaplain Dorsett yesterday brought out that many statements, derogatory statements were made by Imperial Kludd Dorsett against police officials in various States where he has been used by the United Klans of America to make pitches for funds.

Is this a common practice among Klansmen, to tear down the character of people that disagree with the Klan?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The Florence, South Carolina, *News*, of April 5, 1965, reporting on a rally held at Hemingway, South Carolina, quotes you, because the mayor of Hemingway opposed the rally, and as a result of some statements of characterization that he made about the Klan, as saying that you said during a part of your speech, "the mayor of Hemingway is an unadulterated liar."

Does the newspaper quote you factually?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 8" and retained in committee files.)

Mr. APPELL. The Charleston, South Carolina, *News and Courier*, of April 3, reports on a rally which followed a condemnation of the Klan by Governor Russell, of South Carolina. The newspaper reports:

Gov. Russell's suggestion that Imperial Wizard Shelton could serve no useful purpose in coming to South Carolina for a Hemingway rally drew sharp criticism from Scoggin.

Scoggin pictured Shelton as "a greater patriot than the governor" and said he would be in Hemingway to introduce the imperial wizard.

Does the newspaper quote you factually?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The newspaper further quotes you as saying, and I quote from a paragraph in the article:

Scoggin, 42-year-old Spartanburg plumbing and heating contractor, declared flatly, "We do have membership in law enforcement agencies in South Carolina."

Are you quoted factually?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I ask you for the identity of any members in a law enforcement agency that you have in South Carolina.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The newspaper further quotes you as saying, "He"—referring to Scoggin—"said the KKK has 'active lodges' in 31 of South Carolina's 46 counties including Charleston County."

Were you quoted factually?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 9" appears on p. 2119.)

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that if you made that statement it was not factual.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, *The State and The Columbia Record*, of Columbia, South Carolina, in an issue of June 20, 1965, contains a photo of 75 Klansmen standing on the capitol steps and refers to a rally that was held later.

The story reports on rough treatment given members of the press because they did not follow the accepted procedure when attending a rally.

Is freedom of the press denied to the press by the Knights of the Ku Klux Klan, United Klans of America?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 10" and retained in committee files.)

Mr. APPELL. At that rally, did the Reverend or did George Dorsett make a pitch for funds?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was the shill method of asking people to contribute money by having people, Klansmen, walk up as strawmen in order to get other people to follow them when donations of \$100, \$50, \$25, or \$10, were asked for from the crowd?

Mr. SCOGGIN. I decline to answer that question based upon the grounds previously stated.

Mr. APPELL. It was reported that there was \$350 collected but information in the committee's possession is that the sum was closer to \$500.

What was the amount collected at that rally?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

ROBERT SCOGGIN EXHIBIT No. 9

[Charleston, S.C., News and Courier, April 3, 1965]

Hemingway Sharply Rebuffs Scheduled Meeting Of Klan

By LEVERNE M. PROSSER
Staff Reporter

HEMINGWAY — The Ku Klux Klan and its leaders yesterday were told in blunt language by a solid front of civic, governmental and business leadership that "decent people of Hemingway" are "unalterably opposed" to the hooded society's cross-burning and rally scheduled near here tonight.

Mayor L. Durward Lewis — backed by organizations representing more than 95 per cent of the small tobacco-textile town's population — called on area residents to boycott talks by national Imperial Wizard Robert Shelton of Tuscaloosa, Ala., state Grand Dragon Robert Scoggin of Spartanburg and other KKK leaders.

Strong opposition to the rally and KKK recruiting drive was expressed in a joint telegram sent to President Johnson, U. S. Sens. Olin D. Johnston and Strom Thurmond, Rep. John L. McMillan and Gov. Donald S. Russell.

The protest to the selection of a site near Hemingway for the KKK's first South Carolina meeting of the year was signed by the local Junior Chamber of Commerce, Civitan Club, American Legion, the Hemingway City Council and the Williamsburg County Industrial Development Board and legislative delegation.

Mayor Lewis, speaking for the combined groups, emphasized tonight's meeting of Lodges 15 and 19 of the United Klans of the Ku Klux Klan near Ard's Crossroads "could serve no useful purpose."

"We do not welcome the Klan or any other extreme group," Mayor Lewis continued.

Mayor Lewis said "only a

handful of area residents" known to be Klan sympathizers are expected to be involved in the rally.

A poll by the News and Courier of 35 persons representing all walks of Hemingway life yesterday showed Mayor Lewis apparently has wider support for his opposition to the Klan.

Of the 35, only one expressed qualified support for the Klan. After insisting he wasn't a member of the Klan, he said he welcomed the rally "not because I'm a Klan lover but that I'm a (President) Johnson hater."

An elderly lady said she would pray for a cloudburst to "wash out the rally" and "wash up the dirty Klan" in spite of near record rainfall during the past few days here.

A small group of area white high school students early yesterday posted an estimated 40 anti-Klan signs throughout the Johnsonville - Hemingway - Indiantown sections in protest to the rally.

One sign near Johnsonville read "Stamp out Boll Weevils, Tobacco Worms and the KKK." Almost identical signs reading "KKK, Decent People Don't Want You Here" was posted near the Rehobeth Pentecostal Holiness Church and on the Hemingway city limit sign on the Crook's Crossroad highway.

Mayor Lewis' statement followed an earlier protest to the Klan gathering by Gov. Russell and members of the Williamsburg County delegation.

Gov. Russell's suggestion that Imperial Wizard Shelton could

serve no useful purpose in coming to South Carolina for a Hemingway rally drew sharp criticism from Scoggin.

Scoggin pictured Shelton as "a greater patriot than the governor" and said he would be in Hemingway to introduce the Imperial Wizard.

Federal, state, county and local law enforcement officers are expected to keep a close eye on tonight's activity by the Klan and its "ladies Auxiliary."

SLED agents, state highway patrolmen and the Williamsburg County sheriff's office will keep a lookout for possible vandalism and law breakers.

While the FBI would not comment on what action it would take in connection with tonight's rally, it is known agents of the agency have been investigating Klan activity here for the past three weeks.

Grand Dragon Scoggin, enroute to tonight's rally, said last night members of some law enforcement agencies in the state belong to the KKK.

Scoggin, 42-year-old Spartanburg plumbing and heating contractor, declared flatly, "We do have membership in law enforcement agencies in South Carolina."

Scoggin declined to say which law enforcement agencies he made his comment by telephone.

He said the KKK has "active lodges" in 31 of South Carolina's 46 counties including Charleston County.

Scoggin declared that the rally will be open to the public "and we welcome them (SLED and the FBI) along with other white citizens."

Mr. APPELL. What was the distribution of the funds collected at that rally?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, the Columbia, South Carolina, *State*, in its issue of April 7, 1965, reports on a story of a Negro who was taken from a jail cell and beaten. The newspaper quotes you as saying: "I'm positive it was not any of our United Klan boys"; that you were going to conduct an investigation; and "If we find that it was, I'll state that the due process of law should prevail."

I would like to ask you, did you conduct an investigation as you promised?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 11" and retained in committee files.)

(At this point Mr. Weltner returned to the hearing room.)

Mr. APPELL. Was it as a result of an investigation conducted by your Klan Bureau of Investigation which brought about the arrest of L. Cornell Wise and Philip Plamkin, a member of the Prosperity, South Carolina, police force, who was not on duty the night he and Wise allegedly took the Negro from his cell?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Ashbrook left the hearing room.)

Mr. APPELL. As a matter of fact, this arrest came as a result of police investigation and not as a result of any investigation by the Klan; is that not correct?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Witness confers with counsel.)

Mr. APPELL. Mr. Scoggin, the Savannah, Georgia, *Press* of September 7, 1965, carried a story on the rally held at Chester, South Carolina. To be exact, it was 5 miles east of Chester on State Highway 97. It identified among the speakers Robert Scoggin, Grand Dragon, and Younger Newton, of Columbia, the State Klan's Grand Klaliff.

Is the report of the newspaper factual?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 12" and retained in committee files.)

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Younger Newton, the Grand Klaliff, or vice president, of the Realm of South Carolina, operates the Heritage Garment Works, which manufactures Klan robes and other paraphernalia.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do members of the United Klans of America in South Carolina and Georgia purchase robes from Heritage Garment Works?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do any profits from the manufacture and sale of these robes accrue to anyone other than the Heritage Garment Works?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you attend a rally in Salisbury, North Carolina, on August 8, 1964?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, I show you a reproduction of a photograph that appeared in the *Charlotte Observer* of Sunday, August 30, 1964, and I ask you if you are the individual identified in the caption as "Robert Scoggins," Grand Dragon, South Carolina, pictured along with Fred Lee Wilson, the grand klabe, or treasurer, of North Carolina, and J., it says here, Robert Jones, though it is Robertson Jones, Grand Dragon for the State of North Carolina?

(Document handed to witness.)

(Witness confers with counsel.)

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 13." Original photograph previously marked "Fred Wilson Exhibit No. 7.")

Mr. APPELL. Mr. Scoggin, do you know Dan Burros¹ who is the Grand Dragon or grand kleagle for the State of New York?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you met with Dan Burros, who traveled from New York to Hemingway, South Carolina, to meet with you over the week-end of September 17-19, 1965.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. According to the Richmond, Virginia, *Times-Dispatch*, of July 25, 1965, a story datelined Raleigh, North Carolina, July 24, you are quoted as saying that, "There is nothing wrong with this organization," referring to the United Klans of America, Knights of the Ku Klux Klan, "let them investigate."

Was that a truthful statement, Mr. Scoggin?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 14" appears on pp. 2122 and 2123.)

Mr. APPELL. Mr. Scoggin, I put it to you as a fact, and ask you to affirm or deny the fact, that until a slight increase in membership within the past month or 2 that your Klavern in Spartanburg, South Carolina, has not consisted of more than 25 men.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in February of 1965, discussing the lack of organization of the United Klans of America in South Carolina, that you reported that you purposely were keeping this organization on a low ebb because you wanted to maintain it small, under strict discipline, with a view to going underground if necessary.

¹ Committed suicide, Oct. 31, 1965.

ROBERT SCOGGIN EXHIBIT No. 14

[Richmond, Va., *Times-Dispatch*, July 25, 1965]

KKK Is Striving for an Image of Respectability

RALEIGH, July 24 (AP) — The Imperial Wizard of the Ku Klux Klan sat in the backseat of an expensive automobile, parked in a North Carolina cow pasture, and predicted:

"By 1968 we will be one of the most powerful voting blocs in the nation."

Robert Shelton, a frail-looking man from Tuscaloosa, Ala., added, "We are not an organization of bigots. We are not hatemongers. We don't wear masks. We are not afraid to show ourselves. We will show ourselves often—at the polls."

The Grand Dragon of the North Carolina Klan stood on a platform in a cornfield and said, "The civil rights groups often throw those nonviolent bricks and use those nonviolent lead pipes, but it is the KKK that gets the bad publicity."

ROBERT JONES of Granite Quarry, N. C., added, "Look at that group of Klansmen there in the white robes. They are not the uneducated red-necks of which you read so much about. One owns a grocery store, another a body shop. They are respectable members of the community."

The Grand Dragon of the South Carolina Klan said, "We're going to fight to the death for the white race in every way that is honorable."

Then Bob Scoggin of Spartanburg added, "There is nothing wrong with this organization, let them investigate."

The Ku Klux Klan, faced with a federal investigation and determined to become an influential political segment of



AP Wirephoto

Robert Shelton
Imperial Wizard

the nation, is attempting to erase forever its image as a night rider in flowing white robes armed with a whip and a burning cross.

THE KLAN LEADERS publicly attack any form of violence. A klansman accused of an automobile bombing in the North Carolina community of New Bern was ousted from the organization and openly criticized at a KKK meeting for his actions.

A former Klansman who had served a prison term was asked to leave the site of a KKK rally because "you endanger the image of the Klan."

The KKK wants the small business man, the white and the blue collar workers.

Klan meetings now are open to the public, where once they were in the shadows of secrecy.

NEWSMEN AND photographers are welcomed, although escorted at all times by steel-helmeted security guards, the police and protective arm of the Klan.

The security guard, with its gray-blue uniforms and para-trooper jump boots, serves a dual purpose for the newsmen. They protect them from any assault by overzealous Klan supporters who question the fairness of the press, and prohibit pictures of anyone in the crowd who objects.

The Klan leaders still give members the right to anonymity.

A Klansman once said, "Sign up. No one will ever know if that's the way you want it."

The KKK makes no bones about its principal purpose—separation of the races, the white apart from the black.

IN RECENT MONTHS, as the Klan increased the tempo of its rallies and the search for money and members, verbal attacks against the Jews and the Catholics have all but disappeared.

The Negro is the target. Negro demonstrations are pointed to as lawbreaking actions, going unpunished.

ROBERT SCOGGIN EXHIBIT NO. 14—Continued

A sharp line is drawn by the Klan between the white man who aids the civil rights movement and the one who does not.

A Klansman said once in envious, "The KKK is no land for the homosexual or the Communist. Let the Negro have them. We want the man with the clean shirt and shoes. If they are beatniks, let them join the civil rights movement."

THE KKK realizes it is opposed by many influential religious leaders and thus has launched a series of stinging attacks against the National Council of Churches.

The council is accused repeatedly of failing under the influence of Communist teachings.

The Klan takes no party lines, although vicious slurs are aimed at President Johnson and especially Vice President Humphrey.

The denunciation of the Vice President, who always is referred to as "Hen-House Humphrey" brings the loudest applause at any KKK rally.

The rallies combine segregation and the Holy Bible.

They are part segregation, part religion.

At Klan meetings, be they in a cornfield, a cow pasture, or a canebrake, liquor is forbidden.

AT LEAST TWO, often three, ministers speak, talking in the fire and brimstone tone of the old tent revivals.

All Klan rallies end with the burning of a giant cross, often 60 to 70 feet tall.

The lights are off the torches lit, and the Klansmen parade single file around the cross. Suddenly, the torches are tossed forward and the cross, wrapped in burlap bags which have been soaked in kerosene, erupts in flames.

For several hours after the rallies end the flames, casting eerie shadows, can be seen for miles.

To accentuate its desire for new members, the Klan has staged, in recent months, many street walks in cities, towns and country crossroads.

Robed Klansmen, escorted by security guards, and following the flags of the United States and the Confederacy, walk silently down the main streets.

THEY ARE ORDERED by leaders to be silent and peaceful.

As Grand Dragon Jones once said to his Klansmen, "Don't say a word to any of the burn-heads (Negroes) in this town, just let them know we are here."

The Klan also is trying to erase its image as a Southern organization. It is attempting to establish branches throughout the nation, especially in the northeastern and far western states.

Shelton once said, "We are spreading throughout the United States and even now have chapters in England and Canada. In one state alone we are issuing charters at the rate of 40 a week and it takes 25 members to qualify for a charter."

He refused to name the state.

A Klansman, one who works all week and then spends his week ends in KKK activity, was asked why he became a member, why he donated his time free.

He answered: "Because I am a white man."

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you did make such a report.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. When a few months prior to this the Cherokee Sportsman's Club dissolved and formed an organization known as the Underground, was this action taken with your approval?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you discuss with Furman Dean Williams the type of training which his small group would engage in following the termination of the Cherokee Sportsman's Club?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you knew that these men were engaging in explosive

demonstrations and equipping themselves with firearms and becoming experts in the use thereof.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Mr. Appell, in that connection, I would like to make a statement prior to a question.

I have in my hand a pamphlet called *The Klan In Action*, with titles of "Leadership, Responsibility, Organization, Method."

On page 21 appears:

INTELLIGENCE COMMITTEE.

This Committee is the eyes and ears of the Klan Army. Upon it depends the knowledge of enemies within and without, upon it rests the duty of furnishing the information upon which all plans must be based. Unless this Committee is effective, the best Klan will * * * fail. * * *

Then under "Members" I see this passage:

The membership of this committee should be kept secret from the members of the Klan and even, if thought advisable, from the other members of the committee itself. In that case the committee would hold no meetings, but each individual member would report individually to the Exalted Cyclops. * * *

Under "Duties" is this passage:

To protect the Klan from the actions of unfaithful members; to investigate members whose actions are suspicious or who seem to show lack of proper regard for any part of their oath.

To protect the Order by advising of spies and enemies within the Klan.

To find the sources of all adverse propaganda reported by the Propaganda Committee.

* * * * *

To investigate other societies and organizations.

Mr. Appell exhibited to you a news article in which you said to him, or in the article it said, you boasted that you had Klan members in law enforcement agencies.

Do members of this intelligence committee try to penetrate and do penetrate law enforcement agencies?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 15" and retained in committee files.)

The CHAIRMAN. Is it not a fact that within your realm you have a committee of this type, by whatever name it is called?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Under Federal law, a witness before this or any other committee is entitled to be reimbursed at the rate of 7 cents per mile and \$9 per day. Not only as a member of this committee, but as a member of the Judiciary Committee, and as a Member of Congress, I have urged passage of a bill introduced to increase the rate of pay to 12 cents per mile and \$16 per day.

Some of the witnesses, I am told by the staff, who have appeared thus far have complained, and I think rightly so, that they can hardly get by with this pay.

My question is this: So far as you, Mr. Shelton, Mr. Jones, and other high officials in the realms of the United Klans of America are concerned, is it a fact that you are charging your expenses and hotel

rooms to your organizations over which you have jurisdiction, whereas, the other members do not enjoy that special privilege?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Proceed.

First, let me ask another question: If, and I take it ultimately we will get information on it, it is a fact that at the high levels the leadership enjoys the special pay privileges: was that authorized by the membership?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. All right. Proceed.

Mr. APPELL. Mr. Scoggin, at a board meeting of the officials of the Realm of South Carolina in November 1964, did you report that you were not able to get by on the 25 cents per man assessment, and therefore you were proposing that dues be raised from \$1 a month to \$2 a month, and that the per capita assessment to the realm be increased from 25 cents to 50 cents?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Did you report at that meeting that you spent over \$2,000 for travel and you had only gotten \$300 from the various Klaverns to support you?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. With respect to the amount that you received, I put it to you as a fact, and ask you to affirm or deny the fact, that you got much more than that.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Scoggin, do you know the Capital City Sportsmans Club to be a Klan of the United Klans of America within the Realm of South Carolina?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The signature card filed with the account of the "Capital City Sportsmans Club #9," Columbia, South Carolina, shows that the authorized signatures effective September 11, 1964, were William F. Polk, James D. Shaylor, and Robert E. Owen.

Did you know those three individuals to be officers of a Klan known by the name of Capital City Sportsmans Club?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 16" appears on p. 2127.)

Mr. APPELL. The September signature card was revoked on August 17, 1965, when new signatures were submitted: Robert E. Owen, Richard M. Smith, and Bill W. Walters.

Did you know those gentlemen to be officers of a Klan known by the by the name of Capital City Sportsmans Club?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 17" appears on p. 2127.)

Mr. APPELL. That card was voided on September 5, 1965, with an additional signature card containing the signatures of Bill W. Walters, James F. Smoak, and D. L. Reed.

I hand you copies of the actual signature cards to which I have referred. I ask you to examine them. Then I put it to you as a fact, and ask you to affirm or deny the fact, that you did know these individuals to be officers of a Klan group known as the Capital City Sportsman Club No. 9.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 18" appears on p. 2128.)

Mr. APPELL. I show you a check dated 9-14-65, payable to "Robert Scoggins," in the amount of \$50, a printed copy of a canceled check, rather, written over the three signatures contained thereon, "Capital City Sportsman Club #9." Purpose for which drawn: "Payment on car."

On the reverse of the check is the signature "Robert Scoggin." Under that a further endorsement "Deposit Only, South Carolina Rescue Service Charles E. Maddox."

I hand you that and I put it to you as a fact, and ask you to affirm or deny the fact, that the information contained on that check is as I read it to you.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 19" appears on p. 2129.)

Mr. APPELL. Mr. Scoggin, are you known within the Klan of South Carolina as "Colonel"?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I show you a check dated January 25, 1965, Capital City Sportsmans Club #9, "Pay to the order of Col. Robert Scoggins," in the amount of \$16, endorsed "Col. Robert Scoggin."

Can you explain the designation of "Colonel"?

(Document handed to witness.)

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 20" appears on p. 2130.)

Mr. APPELL. I show you a check dated August 3, 1965, Capital City Sportsman Club #9, R. E. Scoggin, \$67.50, purpose for which drawn shown as "May and June."

I ask you if May and June refers to the per capita tax due to the Realm of South Carolina, which is also known as the South Carolina Rescue Service?

(Document handed to witness.)

Mr. APPELL. I ask you, after answering the question, to look at the reverse of the check.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 21" appears on p. 2131.)

ROBERT SCOGGIN EXHIBIT No. 16

CONTINUED FROM OTHER SIDE

Continued from other side

CAPITAL CITY SPORTSMAN'S CLUB #9

The undersigned waives and agrees that the Bank may waive demand, presentment for payment, notice of dishonor, protest and notice of protest on all items.

The undersigned waives and agrees that the Bank may waive demand, presentment for payment, notice of dishonor, protest and notice of protest on all items.

This agreement is not intended to conflict with or supersede any provision of the statute law of South Carolina as it exists on the date of the execution of this agreement, as this agreement is intended to cover only matters not covered by such statute law; and, in so far as any provision hereof may conflict with the statute law of South Carolina as it exists on the date of the execution of this agreement, then such conflicting provision shall be ineffective, but all other provisions hereof shall continue in full force and effect.

Signatures of persons authorized to sign and endorse checks, drafts and notes in the name of the undersigned and which the Bank will recognize in payment of funds and transaction of other business for the account of the undersigned, hereby revoking any former signatures, are given below.

UNLESS OTHERWISE STATED BELOW IN WRITING BY DEPOSITOR, ANY ONE OF THE SIGNATURES WILL BE RECOGNIZED BY THE BANK AS SUFFICIENT.

THE ONLY AUTHORIZED SIGNATURE(S) IS (ARE) AS SIGNED BELOW.

THE UNDERSIGNED HAS READ AND SIGNED THE ABOVE AND FOREGOING AGREEMENT THIS

BOCA RATON CITY Sportsmans Club #9
 William F. Rupp
 James H. Shaylor
 Robert E. Owen

BUSINESS ADDRESS Agave Terrace at 11th Street PHONE

RESIDENCE ADDRESS 3719 Dulane St. PHONE _____

ROBERT SCOGGIN EXHIBIT NO. 17

CONTINUED FROM OTHER SIDE

XX Capital City Sportsman Club #9

The undersigned waives and agrees that the Bank may waive demand, presentment for payment, notice of dishonor, protest and notice of protest on all items.

This agreement is not intended to conflict with or supersede any provision of the statute law of South Carolina as it exists on the date of the execution of this agreement, as this agreement is intended to cover only matters not covered by such statute law; and, in so far as any provision hereof may conflict with the statute law of South Carolina as it exists on the date of the execution of this agreement, then such conflicting provision shall be ineffective, but all other provisions hereof shall continue in full force and effect.

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THE ONLY AUTHORIZED SIGNATURE(S) IS (ARE) AS SIGNED BELOW.

THE ONLY AUTHORIZED SIGNATURE(S) IS (ARE) AS SIGNED BELOW.
THE UNDERSIGNED HAS READ AND SIGNED THE ABOVE AND FOREGOING AGREEMENT THIS

17 ^{day of} August 19 ⁶⁵
 } Robert E. Dyer
 } Richard M. Smith
 } Dice W. Walters
 Capital City Sportsman Club - #9
 BUSINESS ADDRESS 919 Senate Street PHONE 7145157
 RESIDENCE ADDRESS 504 Lakeside Ave PHONE 7130056

day of August 1905
Robert E. Owen

no 7% } Richard M. Smith.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467

Capital City Sportsman Club - #9

BUSINESS ADDRESS 919 Senate Street PHONE 414-5150

RESIDENCE ADDRESS 504 Faber Place PHONE AL 2-0056

ROBERT SCOGGIN EXHIBIT NO. 18

James F. Smoak (and)

CONTINUED FROM OTHER SIDE D. L. Reed

CAPITAL CITY SPORTSMAN CLUB No. 9 (by) Bill W. Walters (and)

ly statement with cancelled vouchers within ninety days after the last day of said month, the Bank shall have the election and privilege of mailing the same to the last known address of the undersigned, at the risk and expense of the undersigned, and may charge the postage thereon to the account of the undersigned, without notice to the undersigned.

The undersigned waives and agrees that the Bank may waive demand, presentment for payment, notice of dishonor, protest and notice of protest on all items.

This agreement is not intended to conflict with or supersede any provision of the statute law of South Carolina as it exists on the date of the execution of this agreement, as this agreement is intended to cover only matters not covered by such statute law; and, in so far as any provision hereof may conflict with the statute law of South Carolina as it exists on the date of the execution of this agreement, then such conflicting provision shall be ineffective, but all other provisions hereof shall continue in full force and effect.

Signatures of persons authorized to sign and endorse checks, drafts and notes in the name of the undersigned and which the Bank will recognize in payment of funds and transaction of other business for the account of the undersigned, hereby revoking any former signatures, are given below.

UNLESS OTHERWISE STATED BELOW IN WRITING BY DEPOSITOR, ANY ONE OF THE SIGNATURES WILL BE RECOGNIZED BY THE BANK AS SUFFICIENT.

THE ONLY AUTHORIZED SIGNATURE(S) IS (ARE) AS SIGNED BELOW.

THE UNDERSIGNED HAS READ AND SIGNED THE ABOVE AND FOREGOING AGREEMENT THIS

day of

19

CAPITAL CITY SPORTSMAN CLUB No. 9

TWO SIGNATURES REQUIRED

BUSINESS ADDRESS

PHONE

RESIDENCE ADDRESS

PHONE

Mr. APPELL. Having looked at the reverse of the check, Mr. Scoggin, it reads "R. E. Scoggin," and under that, the second endorsement "Shea's," 856 South Pine Street, Spartanburg, South Carolina.

How is this money reportable to the imperial office, which has an obligation to report income by the Realm of South Carolina because it is only a geographical subdivision, when instead of placing this check paid for tax for the months of May and June, you cashed this check at a place called Shea's?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you another check dated September 21—and invite your attention to it—being to Bob Scoggin, in the amount of \$9. I invite your attention to the reverse of it, which contains the signature of Bob Scoggin. Then a further endorsement of J. N. Haulbrook, and a third endorsement which shows that it was deposited to the account of the Community Cash Stores.

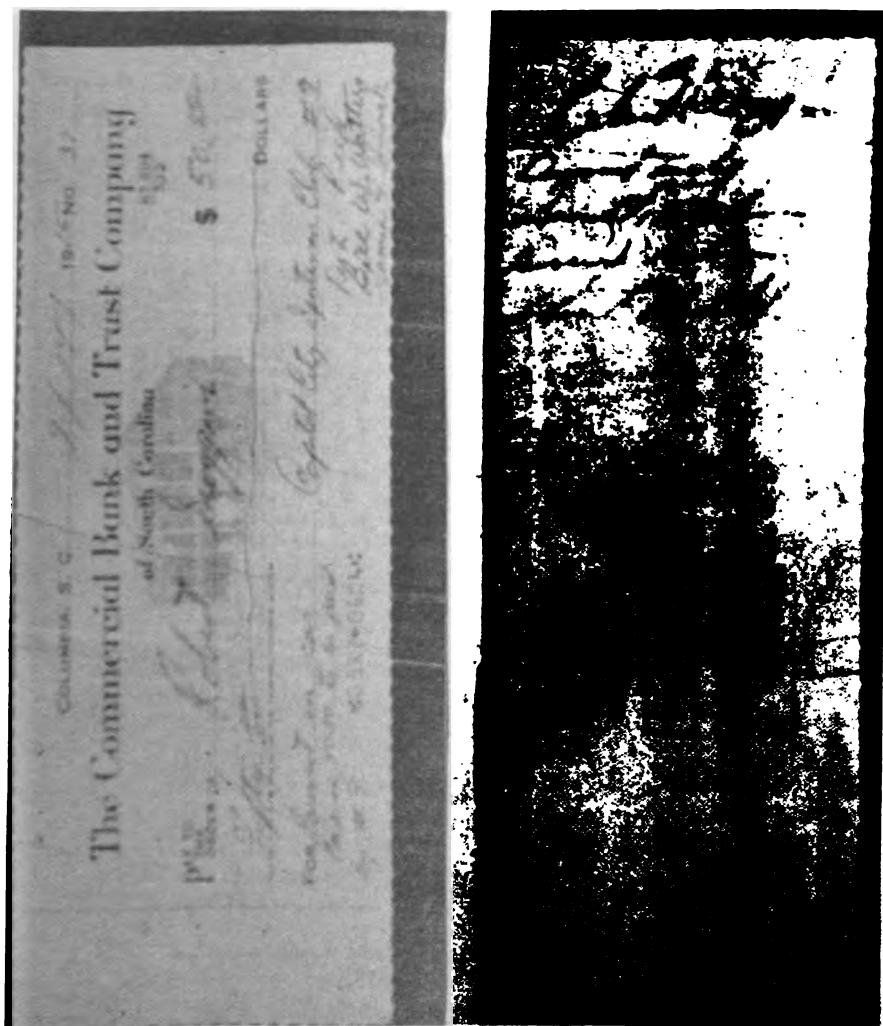
Can you explain that to the committee?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 22." Recordak copy not reproducible; retained in committee files.)

Mr. APPELL. Yesterday, Mr. Scoggin, when we had as a witness Furman Dean Williams, and we were talking about or discussing on the record the account of the Cherokee Sportsman's Club, I exhibited

ROBERT SCOGGIN EXHIBIT NO. 19

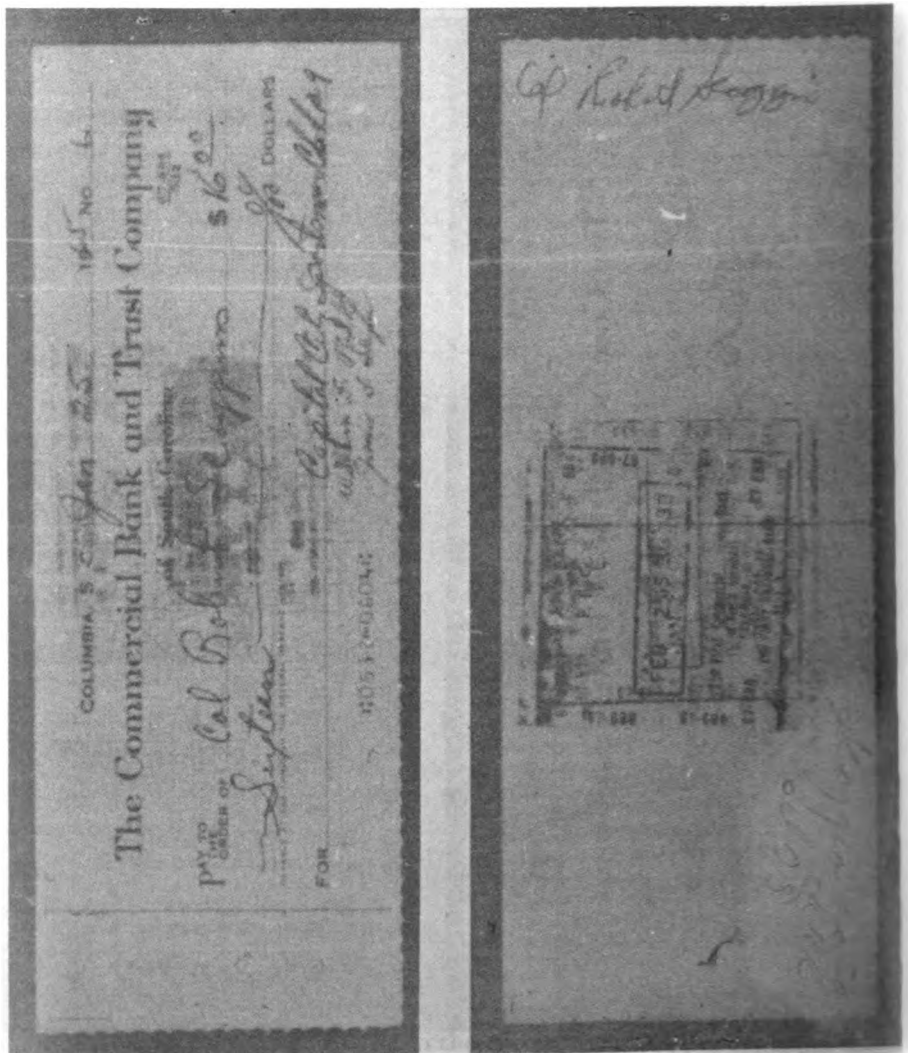


to him a check on which he was a cosigner, on the imprinted canceled check there being "Cherokee Sportsman Club," in the amount of \$9.25.

It says "August—Tax." It contains the endorsement "R. E. Scoggin," and a further endorsement "Hayne Esso Station."

He then explains to the committee how this is reported to the tax authorities, which they have a tax liability, when you take this check to the Hayne Esso Station!

He then declines to answer that question based on the fact that he is a member of the Ku Klux Klan.



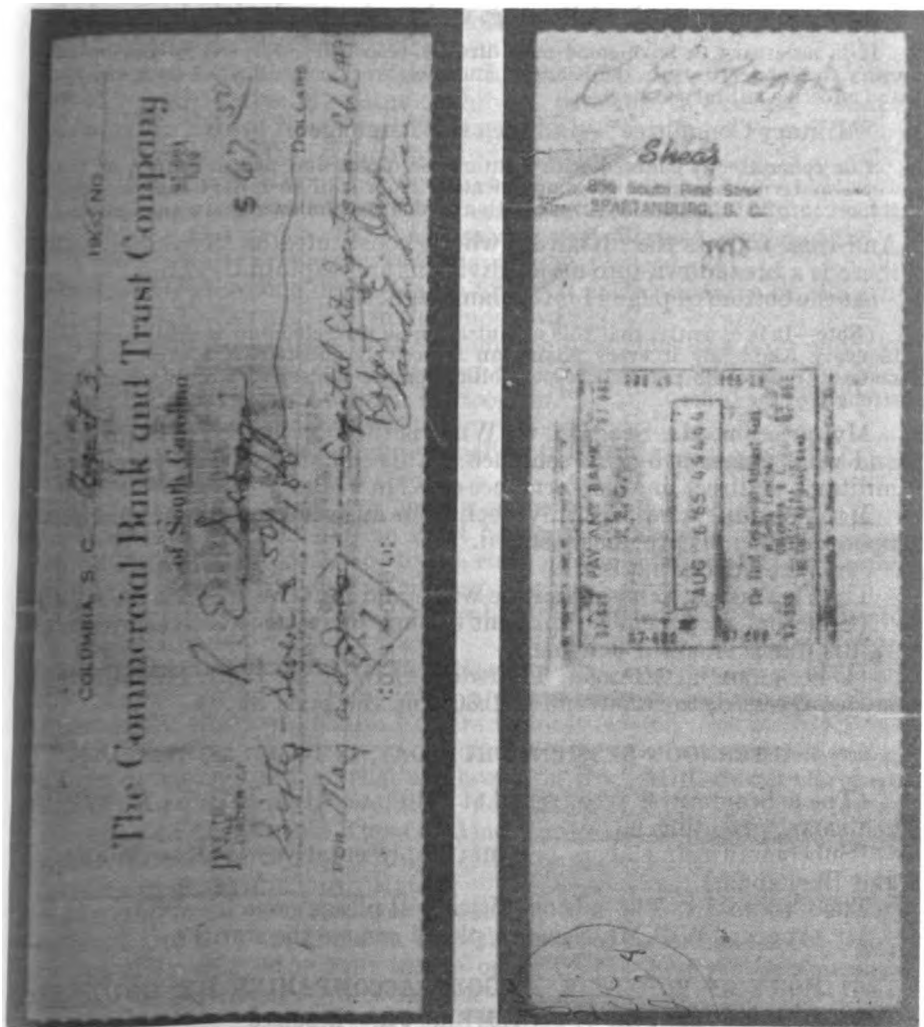
(Document marked "Robert Scoggin Exhibit No. 23. Previously marked "Furman Williams Exhibit No. 2." See p. 2099.)

Mr. APPELL. I ask you the same question with respect to a check in the amount of \$17, dated August 27, 1964, also drawn by the "Cherokee Sportsman Club," payable to "R. E. Scoggins," which contains the endorsement "R. E. Scoggin" and a further endorsement "Ross Builders Supply."

How can this be reported to the imperial office if the check is cashed rather than deposited in some account?

(Document handed to witness.)

ROBERT SCOGGIN EXHIBIT No. 21



I respectfully decline to answer that question based
as previously stated.

marked "Robert Scoggin Exhibit No. 24," Records
file: retained in committee files.)

...in Sturgeon, I have here this volume referred to
called *The Klan in Action* and I note that on the
...the words "The Klan in Action" of The
...Sheldon, and the name of a legitimate
...the name of a legitimate
...the name of a legitimate

Subsequent to that is the "Office of Imperial Wizard, Suite 401 Alston Bldg., Tuscaloosa, Alabama."

I note on page 11 the following, under paragraph titled "Service":

It is necessary to have some man directly responsible for every person and every foot of territory in the Klanton, and their work co-ordinated by a vigorous and effective military system.

"Military Committee"—and then this language:

This committee is charged with military, or direct line, performance of Klan work, and with maintaining communication from staff to individual members. It has control of the Military Organization, which is as follows:

And then follows the "Klaliff," who is constituted as "Colonel," and there is a breakdown into major divisions and captain divisions.

At the bottom of page 11 is this language:

(Note—It is essential that this organization be perfected and made permanent in every Klan. By it every Klansman is actively enlisted in Klan work and made to realize his personal responsibility for the success of the work and the strength of the Order.)

My question, Mr. Scoggin, is: What is the function of the military and what is meant by this sentence: "This committee is charged with military, or direct line, performance of Klan work."

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. That is all.

The CHAIRMAN. The committee will stand in recess until 1:30.

(Subcommittee members present at time of recess: Representatives Willis, Weltner, and Buchanan.)

(Whereupon, at 12 noon, Thursday, October 28, 1965, the subcommittee recessed, to reconvene at 1:30 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, OCTOBER 28, 1965

(The subcommittee reconvened at 1:40 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will please come to order.

Mr. APPELL. Will Mr. Scoggin please resume the stand?

TESTIMONY OF ROBERT E. SCOGGIN, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.—Resumed

Mr. CHALMERS. I would imagine the same oath of this morning carries through.

The CHAIRMAN. Yes.

Mr. APPELL. Mr. Scoggin, I hand you two checks on the Chesterfield County Sportsman's Club, one dated June 28, 1965, in the amount of \$26.40; the other dated May 21, 1965, in the amount of \$51, both checks payable to R. E. Scoggin.

I invite your attention to the endorsement on the reverse thereof. On the check of May 21, 1965, it shows the second endorsement of Mrs. T. D. Sherbert, Welcome Grille; the second by R. E. Scoggin, and a second endorsement of the First State Building and Loan Association.

Having examined them, Mr. Scoggin, how can this amount be reported to the imperial office, which has the tax liability for income

of the Realm of South Carolina, when these are not deposited in any account but cashed at the places indicated?

Mr. SCOGGIN. I respectfully decline to answer that question based on the grounds previously stated.

(Documents marked "Robert Scoggin Exhibits Nos. 25-A and 25-B," respectively. Same exhibits previously marked "Ralph Powers Exhibits Nos. 4 and 2," respectively. See pp. 2085 and 2083.)

Mr. APPELL. The committee has examined many checks payable to the Alabama Rescue Service, and has established that the Alabama Rescue Service has a bank in Tuscaloosa, Alabama, to which checks payable to the order of the Alabama Rescue Service are deposited.

I show you two checks, both payable to the order of the Alabama Rescue Service, one dated March 29, 1965, in the amount of \$27; the other dated May 21, 1965, in the amount of \$27.

I ask you to explain to the committee how come the only endorsement on the March 29th check is R. E. Scoggin, and the check of May 21, "ARS, UKA, By R. E. Scoggin."

(Documents handed to witness.)

Mr. SCOGGIN. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. These two checks represent funds which were to go to the bank account of The First National Bank in Tuscaloosa, Alabama, which you, contrary to the rules and regulations of the United Klans of America, endorsed and kept for yourself.

Mr. SCOGGIN. I respectfully decline to answer that question based on the grounds previously stated.

(Documents marked "Robert Scoggin Exhibits Nos. 26-A and 26-B," respectively. Exhibit 26-A appears on p. 2134. Exhibit 26-B previously marked "Ralph Powers Exhibit No. 3." See p. 2084.)

Mr. APPELL. Mr. Scoggin, I put it to you as a fact, and ask you to affirm or deny the fact, that a Klavern in Rock Hill, South Carolina, known by the name of the R. H. Volunteers of America, is, in fact, a Klavern of the United Klans of America, Realm of South Carolina.

Mr. SCOGGIN. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. I invite your attention to the bottom check drawn against the account of the R. H. Volunteers of America, a check dated September 26, 1965, paid to the order of the Federal Communications Commission, application for licenses, two-way radios, citizens band.

In showing you this check, I ask you to what use the United Klans of America in South Carolina, under your jurisdiction, use citizens band radios for the purpose of carrying out intimidations by Klans and Klan members.

(Document handed to witness.)

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

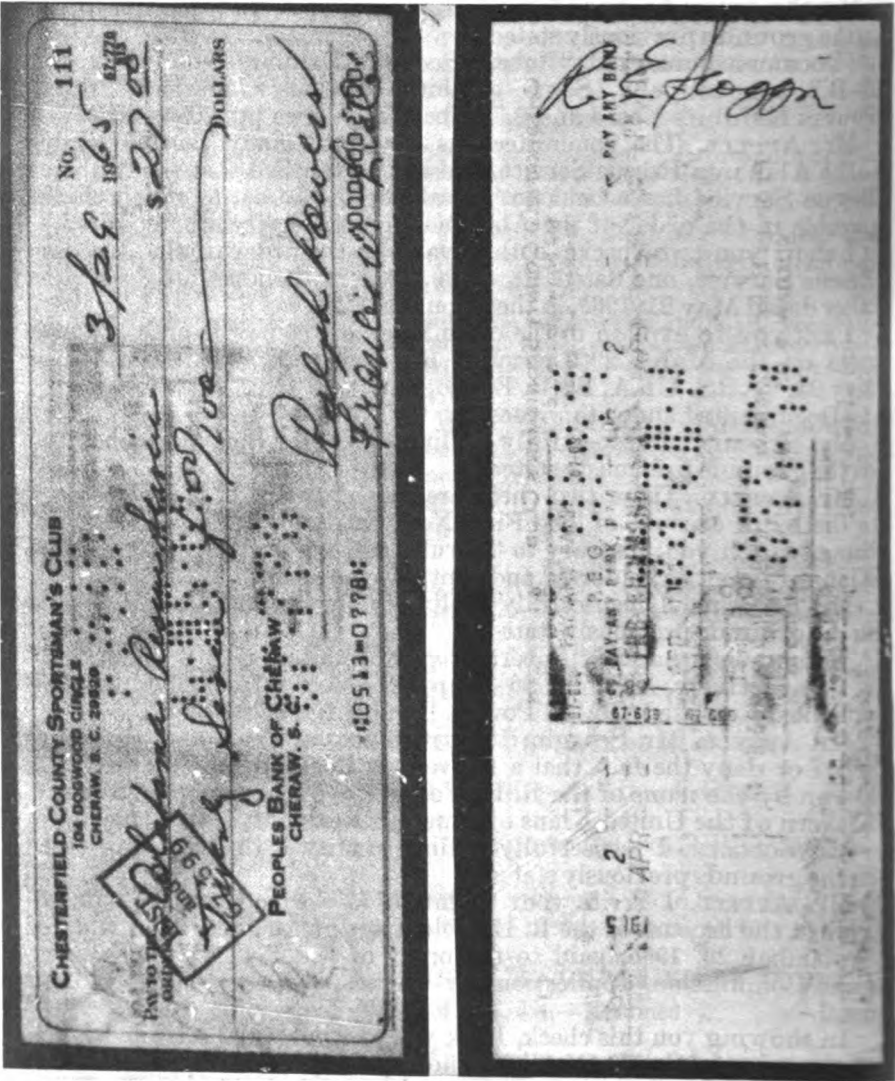
(Document marked "Robert Scoggin Exhibit No. 27" appears on p. 2135.)

Mr. APPELL. Mr. Scoggin, the Raleigh, North Carolina, *News and Observer* of June 3, 1965, reports that you were arrested on the preceding Saturday, which would be May 29, for drunken driving and charged with disorderly conduct.

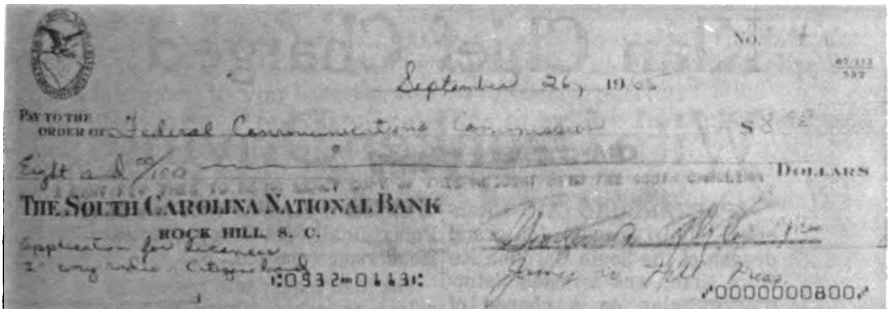
Is that factual?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

ROBERT SCOGGIN EXHIBIT No. 26-A



ROBERT SCOGGIN EXHIBIT NO. 27



(Document marked "Scoggin Exhibit No. 28" appears on p. 2136.)

Mr. APPELL. Mr. Scoggin, the committee obtained from the city of Spartanburg police department, South Carolina, an Arrest Sheet which shows at 12:30 a.m. on 5-29-65, Scoggin, Robert E., 818 Saxon Avenue, South Carolina, white, male, birth date 5-12-22, place born, Polk County, North Carolina, age 43, 6 feet, 150 pounds, occupation, plumber, employed by—self-employed; was arrested while driving under the influence and disorderly conduct.

I put it to you as a fact, and ask you to affirm or deny the fact, that the Arrest Sheet from which I have just read is factual.

Mr. SCOGGIN. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Scoggin, I invite your attention to a newspaper article, a clipping from the Chicago, Illinois, *Sun-Times*, referring to a rally in Hemingway, South Carolina, and the story is dated April 5, 1965. After reporting on the events of the rally, the story says, referring to the burning of the cross, following the burning of the cross, it reads:

That done, the Klansmen gathered around Scoggin who denounced the mayor of Hemingway for opposing the Klan's plans to meet near the town and branded President Johnson "a liar" for accusing the hooded men for being disloyal to the nation.

Shelton handed Scoggin the key to a 1965 station wagon bought for him by South Carolina Klansmen as "a token of devotion for a great patriot."

Is the recitation of that story factual, sir?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 29" and retained in committee files.)

Mr. APPELL. The committee made inquiry of the State Highway Department with respect to the registration of South Carolina license tag F-22409. The supervisor of titles and registration advised the committee by letter dated August 30, 1965:

According to our registration and title files, this license was issued to a 1965 Plymouth, serial number P652204432 in the name of Mrs. R. E. Scoggins, 818 Saxon Avenue, Spartanburg, South Carolina. The vehicle was purchased from Myers Motor Company, Camden, South Carolina, on April 2, 1965, and the title issued records a lien in favor of Commercial National Bank of Spartanburg, Morgan Square, Spartanburg, South Carolina.

I now hand you a copy of a chattel mortgage, a copy of a certificate of title, and an account ledger card of the First Commercial Bank which shows that there was placed a lien against this car in the amount

ROBERT SCOGGIN EXHIBIT NO. 28

[Raleigh, N.C., *News & Observer*, June 3, 1965]

Klan Chief Charged With Drunken Driving

SPARTANBURG (AP)—Robert E. (Bo) Scoggin, the grand dragon of the South Carolina Ku Klux Klan, was arrested Saturday morning on a charge of drunken driving and disorderly conduct.

A newspaperman came across the warrant at Spartanburg City Hall Wednesday.

The 43-year-old Klan leader had asked for a jury trial on the charges and is free on \$125 bond. Scoggin is represented by Atty. C. Kennon Robertson.

No date has been set for a trial, City Recorder's Court Clerk A. H. Bates said Wednesday.

Scoggin's occupation was listed on city police records as self-employed plumber. The KKK leader and organizer was booked at city jail at 12:40 a.m. Saturday.

Scoggin, asked for comment by a newsman, said: "The only thing that I can say is that the charges are not true. . . that's all I can say about it."

City policeman James Henderson said he stopped a 1965 Plymouth station wagon driven by Scoggin after observing the auto run through a traffic light at the intersection of W. Main and Magnolia Streets in the central business district.

Henderson said he was driving a police car behind Scoggin's vehicle and halted the station wagon at the St. John Street intersection with Main Street.

Henderson said the disorderly conduct charge was added after Scoggin became unruly in the city hall booking room. The policeman said Scoggin was told

to sit down three or four times. Police finally sat Scoggin down, Henderson reported.

The klan leader was quoted by police as asking them to give him a break because he had been busy with the Wallace (Gov. George of Alabama) for president campaign. Henderson said Scoggin was cursing in the booking room and had a moderate odor of alcohol on his breath.

Warrants have been prepared in the case but had not been signed by police Wednesday afternoon.

of \$2,705.40, and at the time the committee subpoenaed these records, only three payments had been made, for the months of June, July, and August.

I put it to you as a fact, and ask you to affirm or deny the fact, that this is the same vehicle which, according to the newspaper clipping, the Klan gave to you because you were such a patriot.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Robert Scoggin Exhibits Nos. 30-A through 30-D," respectively. Exhibits 30-A and B follow; 30-C and D retained in committee file.)

ROBERT SCOGGIN EXHIBIT No. 30-A



SOUTH CAROLINA

STATE HIGHWAY DEPARTMENT

MOTOR VEHICLE DIVISION

DRAWER 1498

COLUMBIA, S. C. 29202

August 30, 1965

Mr. Donald T. Appell, Chief Investigator
Congress of the United States
House of Representatives
Committee on Un-American Activities
Washington, D. C.


Dear Mr. Appell:

We refer to your letter of August 20, 1965, requesting registration information on South Carolina license F-22409.

According to our registration and title files, this license was issued to a 1965 Plymouth, serial number P652204432 in the name of Mrs. R. E. Scoggins, 818 Saxon Avenue, Spartanburg, South Carolina. The vehicle was purchased from Myers Motor Company, Camden, South Carolina, on April 2, 1965, and the title issued records a lien in favor of Commercial National Bank of Spartanburg, Morgan Square, Spartanburg, South Carolina.

Very truly yours,

H. E. Charles, Jr., Director
Motor Vehicle Division


F. E. Harris, Supervisor
Titles and Registration

ROBERT SCOGGIN EXHIBIT No. 30-B

STATE OF SOUTH CAROLINA,

COUNTY OF

CHATTEL MORTGAGE

1. Whereas Mrs. Robert E. Scoggin hereinafter called the Mortgagor, is indebted to The First Commercial National Bank of South Carolina, hereinafter called the Mortgagee, in the sum of Two-Thousand Seven Hundred Five and 40/100 Dollars (\$ 2,705.40), payable in monthly installments, with interest after maturity, as evidenced by the promissory note of the Mortgagor below of even date herewith, which note is a negotiable instrument:

Now, therefore, in order to secure the payment of said note and compliance by the Mortgagor with all agreements and provisions thereof, the Mortgagor hereby bargains, sells and transfers unto the Mortgagee the following described personal property together with the equipment of every kind and nature which is attached or may hereafter become attached to the said property during the life of this mortgage, whether by way of repairs or otherwise, all hereinafter sometimes referred to as "property", to-wit:

QUANTITY	NEW OR USED	MODEL	DESCRIPTION OF PROPERTY	MOTOR AND SERIAL NUMBERS
1	New	1965	Plymouth <i>slawag</i>	P652204432

To have and to hold the said property unto the Mortgagee, its successors and assigns forever. Provided, nevertheless, and it is the condition of this mortgage, that if the Mortgagor shall well and truly pay the amounts owing hereunder, in accordance with said note and this mortgage, and shall promptly discharge the stipulations and agreements contained herein, time being of the essence hereof, then this mortgage shall be void, otherwise to remain in full force and effect.

2. The Mortgagor hereby warrants that there is no prior mortgage or lien on the above described property, and that the same is free from any encumbrance whatsoever, except as herein set forth, and that he is the true and lawful owner of the said property, and has full right to sell, transfer and encumber the same.

3. The Mortgagor agrees that he will keep the property in good condition and repair at his own expense, and that he will not part with the possession thereof, that he will not sell, rent or lease the property or remove any equipment therefrom without the written consent of the Mortgagee, that he will produce and exhibit the property to the Mortgagee upon request, and that he will not use or permit the property to be used in violation of any law with respect to intoxicating liquors, narcotics or other articles or otherwise use the property illegally or improperly, that the property will not be attached to the ground, any building or other obstacle and shall at all times be and remain personally.

4. The Mortgagor agrees to pay all taxes and all assessments of any kind whatsoever on the property, and to keep the same insured against fire and theft for not less than the amount of the unpaid balance due on said note, also to carry comprehensive insurance including collision, hazard insurance, satisfactory to the Mortgagee, and to keep the property so insured during the life of the mortgage, the policies of insurance to contain a clause that in the event of loss, payments shall be made to the Mortgagee as its interest may appear. Upon the failure of the Mortgagor in any of these respects, the Mortgagee may at its option, either declare this mortgage in default and the outstanding balance due and payable, or may pay said taxes, or so insure, and the cost thereof shall become a part of the debt secured by this mortgage. The proceeds of any insurance, whether paid by reason of loss, injury, return premium or otherwise, shall be applied toward the repair or replacement of the property or payment of the obligation secured by this mortgage, at the option of the Mortgagee.

5. The Mortgagor further agrees that if default be made in the payment of said note, or any installment of principal or interest thereon, or of any renewal thereof, or if the Mortgagor otherwise fails to comply with any provision or agreement hereof, at the time and in the manner herein specified, or if the property be seized upon process or final process issued against the Mortgagor or the property, or if the Mortgagee deems it necessary for his more perfect and complete security at any time, then the Mortgagee is hereby authorized and empowered to enter any premises of the Mortgagor, or other place where the property may be, and take possession of the same, without notice or demand, which are hereby expressly waived (however, notice and demand may be given and made by mailing the same to the Mortgagor at his address herein), and with or without legal process. Such possession shall not affect the Mortgagee's rights, hereby confirmed, to retain all payments made prior or subsequent thereto by the Mortgagor hereunder. The Mortgagee may sell said property and all equity of redemption of the Mortgagor therein, at public or private sale, with or without advertisement thereof, and with or without notice to the Mortgagor, advertisement thereof and notice of the time, place and manner of said sale being hereby expressly waived by the Mortgagee (however, if such notice be given, notice by mail to the Mortgagor's address herein shall be sufficient), and also with or without having such property at the place of sale; and such sale may be made upon such terms and in such manner as the Mortgagee may determine; and the Mortgagee may bid the property in at any sale thereof.

6. From the proceeds of any such sale, the Mortgagee shall deduct all expenses of retaining, repairing and selling such property, including reasonable attorney's fees, and apply the balance to the amount due by the Mortgagor hereunder, paying over to the Mortgagor any surplus, if any there be; in case of a deficiency, the Mortgagor agrees to pay the same with interest. The Mortgagor may take possession of any other property in said vehicle at the time it is repossessed and hold the same for the Mortgagor, without responsibility or liability on the part of the Mortgagee. If the Mortgagor shall fail to take possession of such other property within 30 days, Mortgagee may sell the same at public or private sale as provided above and shall apply the net proceeds of such sale to the balance due on the indebtedness hereunder.

7. This mortgage and said note contain the entire agreement between the parties therein, and no waiver, change or addition thereto shall be valid unless the same be endorsed hereon and signed by the Mortgagee. Should the Mortgagee accept any installments or part payment after the full amount may have become immediately due and payable, or otherwise grant indulgence to the Mortgagor, this shall not affect the Mortgagee's obligations or the Mortgagor's rights with respect to any subsequent payment or default. The Mortgagee shall have the right to enforce one or more remedies hereunder successively or concurrently. No transfer, renewal, extension or assignment of this mortgage and/or negotiation of said note shall release the Mortgagor from his obligations hereunder; and the Mortgagor shall be entitled to all the rights of Mortgagor. The Mortgagor shall notify the Mortgagee of any change in the Mortgagor's address shown below. All agreements and provisions hereof shall respectively bind and have in the benefit of the respective heirs, executors, administrators, successors and assigns of both the Mortgagor and the Mortgagee.

IN WITNESS WHEREOF, the Mortgagor has hereunto set his hand and affixed his seal this 5th day of April

19-65

WITNESS:

Robert E. Scoggin
(Signature)
Address *R. E. Scoggin*
818 Saxon Ave., Spartanburg

Mr. APPELL. Mr. Scoggin, do you receive 100 percent disability compensation from the Veterans' Administration?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, an inquiry by the committee into the compensation received by Mr. Scoggin contains a report of the director of Compensation, Pension and Education Service:

Mr. Scoggin had active service from August 29, 1942 to October 17, 1945 during which he incurred injury to his back and sacroiliac joint. A 10% disability evaluation was initially established from June 15, 1949. This was temporarily increased to 100% from June 12, 1951 because of his hospitalization from May 22, 1951 for generalized rheumatoid arthritis involving the spine. He was released from the hospital on March 28, 1952 at which time his disability was rated as 100% under the 1945 Schedule for Rating Disabilities.

Re-examination on April 7, 1954 resulted in reduction of schedular evaluation to 60% from that date. The total disability rating of 100% was continued, however, based on individual unemployability. Since then, his case has been reviewed at regular intervals, but no rating change was indicated by the medical or employment information reported.

The variations in monthly rates after June 30, 1952 are attributable to increases based on legislation and to changes in the number of dependents.

Mr. Scoggin, I will hand you a document—after I read it into the record—which has the return address of 818 Saxon Avenue, Spartanburg, South Carolina, January 23, 1961, to Adjudication Officer, VA Regional Office, 1801 Assembly Street, Columbia, South Carolina:

Dear Sir:

I have recently heard of benefits of PL 86-663 of the 86th Congress. I am requesting that my claim for disability compensation be considered for benefits under that law. My service-connected disability is a shrapnel injury of my spine which has resulted in arthritis of my spine, neck, hips and legs, and has progressed to where I cannot bend my neck or spine and I am unable to walk without the use of canes.

I feel that perhaps I might be entitled to benefits under this law.

Very truly yours,

/s/ Robert E. Scoggin
ROBERT E. SCOGGIN.
C4131359

I hand you this document and put it to you as a fact, and ask you to affirm or deny the fact, that this is a copy of a document which you sent to the Veterans' Administration.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Robert Scoggin Exhibits Nos. 31-A and 31-B," respectively. See pp. 2141, 2142.)

Mr. APPELL. Was this a true or a false statement to the Veterans' Administration?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. In our inquiry to the city of Spartanburg, we inquired as to whether or not at the time of your arrest you were requiring the use of canes, and we were advised by W. T. Ivey, director of law enforcement:

Our investigation shows that no one in this department knows of Mr. Scoggins ever using a cane, and when arrested on the night of the 29th no canes were being used.

Have you ever used canes as you advised the Veterans' Administration?

Mr. Scoggin. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 32." See p. 2143. Exhibits 31-A and B and 32 follow:)

ROBERT SCOGGIN EXHIBIT NO. 31-A

JUL 3 1965


C-4 131 359
SCOGGIN, Robert L.

STATEMENT RELATING TO COMPENSATION AUTHORIZED

Mr. Scoggin had active service from August 29, 1942 to October 17, 1943 during which he incurred injury to his back and sacroiliac joint. A 10% disability evaluation was initially established from June 15, 1949. This was temporarily increased to 100% from June 12, 1951 because of his hospitalization from May 22, 1951 for generalized rheumatoid arthritis involving the spine. He was released from the hospital on March 2, 1952 at which time his disability was rated as 100% under the 1945 Schedule for Rating Disabilities.

Re-examination on April 7, 1954 resulted in reduction of schedular evaluation to 60% from that date. The total disability rating of 100% was continued, however, based on individual unemployability. Since then, his case has been reviewed at regular intervals, but no rating change was indicated by the medical or employment information reported.

The variations in monthly rates after June 30, 1952 are attributable to increases based on legislation and to changes in the number of dependent


J. C. PECKARSKY, Director
Compensation, Pension and Education Service

ROBERT SCOGGIN EXHIBIT NO. 31-A—Continued

JUL 3 1965

STATEMENT OF COMPENSATION PAYMENTS
For the Period 12/1/49 to 6/30/65
MADE IN THE CASE OF

SCOGGIN, Robert E.
C 4 131 359

<u>PERIOD COVERED</u>	<u>RATE</u>	<u>AMOUNT</u>
12/ 1/49 to 6/11/51	\$ 15.00	\$ 275.50
6/12/51 to 6/30/52	206.00	2,602.47
7/ 1/52 to 9/30/54	228.50	6,169.50
10/ 1/54 to 9/30/57	237.00	8,532.00
10/ 1/57 to 7/31/60	287.00	9,758.00
8/ 1/60 to 8/ 9/60	323.00	96.90
8/10/60 to 2/ 5/62	335.00	5,985.33
2/ 6/62 to 9/30/62	323.00	2,530.17
10/ 1/62 to 10/30/62	423.00	423.00
10/31/62 to 8/25/63	348.00	3,422.00
8/26/63 to 11/30/63	360.00	1,140.00
12/ 1/63 to 2/ 8/64	348.00	788.80
2/ 9/64 to 3/23/65	336.00	4,536.00
3/24/65 to 6/30/65	324.00	1,047.60
Total		<u>\$47,307.27</u>

I hereby certify that the above statement is a true, correct and complete record of payments made on account of compensation for the period from December 1, 1949 to June 30, 1965 as shown by the records of the Veterans Administration.



H. F. STEWART
Assistant Controller for Finance, DVB

In addition, payments of education subsistence allowance for Training at Fairforest Public Schools, Fairforest, South Carolina, under provisions of Public Law 346, as amended, were made for the period from November 7, 1950 to May 31, 1951 at the rate of \$120.00 per month. These payments totaled \$816.00.

ROBERT SCOGGIN EXHIBIT No. 31-B

818 Saxon Ave.
Spartanburg, S. C.
January 23, 1961

Adjudication Officer (21)
VA Regional Office
1801 Assembly Street
Columbia, S. C.

Dear Sir:

I have recently heard of benefits of PL 86-663 of the 86th Congress. I am requesting that my claim for disability compensation be considered for benefit under that law. My service-connected disability is a shrapnel injury of my spine which has resulted in arthritis of my spine, neck, hips and legs, and has progressed to where I cannot bend my neck or spine and I am unable to walk without the use of canes.

I feel that perhaps I might be entitled to benefits under this law.

Very truly yours,

Robert E. Scoggin
ROBERT E. SCOGGIN
C.4 131 359

ROBERT SCOGGIN EXHIBIT No. 32



City of Spartanburg South Carolina

POLICE DEPARTMENT

July 15, 1965

Mr. Donald T. Appell
House of Representatives
Congress of the United States
Washington, D. C.

Re: Robert E. Scoggins

Dear Mr. Appell:

This subject ~~was~~ arrested by Officer G. E. Kennedy on May 29, 1965, at 12:40 a. m. and charged with driving under the influence and disorderly conduct. Mr. Scoggins has requested a jury trial and has not been tried at this date.

Our investigation shows that no one in this department knows of Mr. Scoggins ever using a cane, and when arrested on the night of the 29th no canes were being used.

When the disposition is made of this case, we will advise you.

If this department can be of any service to your committee, please do not hesitate to call on us.

Yours truly,

W. T. Ivey
Director of Law Enforcement

WTI/mf

Mr. APPELL. Mr. Chairman, as the report I read indicated, Mr. Scoggins' 100 percent disability is based upon his unemployability. Because of that, Mr. Scoggins, and veterans like him, are required to file annually a statement of earnings.

Mr. Scoggins, I intend to show to you, after I read it into the record, an employment questionnaire of the Veterans' Administration which, according to the form, was mailed to them on April 4, 1962. It sets forth—signed, R. E. Scoggins—self-employment during past 12 months as follows:

"Filling out Income tax form, \$70; Purchased & resold Junk Brass, \$41; Repaired Fishing Reels and Rods, \$57."

Was that a truthful statement, Mr. Scoggin?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 33" appears on p. 2145.)

Mr. APPELL. This next form, Mr. Scoggin, which covers the preceding year—

The CHAIRMAN. Preceding or succeeding?

Mr. APPELL. Preceding.

It is dated April 3, 1963, signed R. E. Scoggin. It reads:

"Self-employment during past 12 months: Purchased & resold Secondhand Plumbing Fixturs [sic] \$231.00; Bought & Sold Shrubry [sic] \$83.00"; total compensation, \$314.

I would like to ask you, Mr. Scoggin, after advising you that we have made an analysis of a personal bank account of yours at The South Carolina National Bank, Spartanburg, South Carolina, that you deposited into that account from all sources during the year 1962, the period that this last report covers, you deposited into that account from all sources \$11,612.35.

Mr. WELTNER. For what period of time?

Mr. APPELL. For the calendar year 1962.

Mr. Scoggin, did you advise the Veterans' Administration truthfully when you told them that your income from self-employment during the previous year was only \$314?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Robert Scoggin Exhibit No. 34" appears on p. 2146.)

Mr. APPELL. On December 22, 1964, you supplied an additional form which is signed Robert E. Scoggin. It lists: "Self-employment during past 12 months: I bought and Sold Some used plumbing," total earnings \$264. "I have made and Sold Some hand tied fishing Bugs," total earnings \$103. "I made pot holders and whatnots," total earnings \$134. "Misc. \$73." Total earnings for the previous year, of 1964, \$574.

(Document marked "Robert Scoggin Exhibit No. 35" appears on p. 2147.)

Mr. APPELL. For the year 1964, Mr. Scoggin, there appears to have gone through three bank accounts which the committee located in your name, one at the First Commercial Bank of South Carolina, Spartanburg, South Carolina, the sum of \$4,440; into the Spartanburg Bank and Trust Company, \$11,250—and by that time you had canceled your account at The South Carolina National Bank. But on those two banks, you ran through that account as credit to that account \$15,690.50.

Did you give an honest report to the Veterans' Administration when you reported that your self-employment income during the previous months was \$574?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

ROBERT SCOGGIN EXHIBIT NO. 33

Form approved
Budget Bureau No. 70-2061-1VETERANS ADMINISTRATION
EMPLOYMENT QUESTIONNAIRE

1. DATE MAILED

April 4, 1962

2. NAME AND ADDRESS OF VETERAN

3. CLAIM NO.

4 131 359

NOTE - Return completed form to Veterans
Administration Office shown below.

4. ADDRESS OF VETERANS ADMINISTRATION OFFICE

V.A. REGIONAL OFFICE
1201 Assembly Street
Columbia, S. C.TO Mr. Robert E. Scoggin
818 Saxon Avenue
Spartanburg, S. C.

The information called for below is essential to determine your entitlement to continued payment of compensation at the present rate of 100%. All questions must be answered fully, clearly and accurately. Your failure to furnish the desired information will result in the reduction of your award.

5. SIGNATURE OF ADJUDICATION OFFICER

6. WERE YOU EMPLOYED BY OTHERS AT ANY TIME DURING THE PAST 12 MONTHS?

☐ YES ☒ NO (If "Yes," fill in items 7A to 7C, inclusive)

EMPLOYMENT BY OTHERS DURING PAST 12 MONTHS

7A. NAME AND ADDRESS OF EMPLOYER

7B. DATES OF EMPLOYMENT

FROM

TO

7C. RATE OF WAGES OR
SALARY RECEIVED

8. WERE YOU SELF-EMPLOYED DURING PAST 12 MONTHS?

☒ YES ☐ NO (If "Yes," fill in items 9A to 9C, inclusive)

SELF-EMPLOYMENT DURING PAST 12 MONTHS

9A. KIND OF WORK

9B. MONTHS WORKED

9C. TOTAL EARNINGS

Filling out Associate Tax forms		\$ 70.00
Overhaul & resold Junk Brass		41.00
Repaired Fishing Reels and Rods		57.00

I HEREBY CERTIFY that the entries made herein are true and correct to the best of my knowledge and belief.

10. DATE

11. SIGNATURE OF VETERAN

12. ADDRESS (If different than item 2)

April 7
1962

R. E. Scoggin

Robert E. Scoggin

PENALTY - The law provides for forfeiture of rights and benefits of a person who makes any statement of a material fact knowing it to be false. Upon conviction thereof such person is subject to a fine of not more than \$1,000 or imprisonment for not more than 1 year, or both.

A FORM
8-4140

VA DC 267016

ROBERT SCOGGIN EXHIBIT No. 34

Form approved
Budget Bureau No. 14-28

VETERANS ADMINISTRATION EMPLOYMENT QUESTIONNAIRE		1. DATE MAILED April 3, 1963	
2. NAME AND ADDRESS OF VETERAN TO: Mr. Robert E. Scoggin 818 Saxon Avenue Spartanburg, S. C.		3. CLAIM NO. C. 4 131 359	
		NOTE - Return completed form to Veterans Administration Office shown below. 4. ADDRESS OF VETERANS ADMINISTRATION OFFICE V.A. REGIONAL OFFICE 1801 Assembly Street Columbia, S. C.	
This information is needed to determine your entitlement to compensation on the basis of unemployment. All questions should be answered fully and accurately. Please return the form promptly to insure that all evidence is available when your claim is considered.			
SIGNATURE OF ADJUDICATION OFFICER C. E. Scoggin Adj. Dir.			
6. WERE YOU EMPLOYED BY OTHERS AT ANY TIME DURING THE PAST 12 MONTHS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes," fill in items 7A to 7C, inclusive)			
EMPLOYMENT BY OTHERS DURING PAST 12 MONTHS			
7A. NAME AND ADDRESS OF EMPLOYER	7B. DATES OF EMPLOYMENT FROM TO		7C. RATE OF WAGES OR SALARY RECEIVED
8. WERE YOU SELF-EMPLOYED DURING PAST 12 MONTHS? <input type="checkbox"/> YES <input type="checkbox"/> NO (If "Yes," fill in items 9A to 9C, inclusive)			
SELF-EMPLOYMENT DURING PAST 12 MONTHS			
9A. KIND OF WORK	9B. MONTHS WORKED	9C. TOTAL EARNINGS	
Purchased & Resold - Second Hand Plumbing Fixtures	—	231.00	
Bought & Sold Shavings.	Oct	83.00	
		\$ 314.00	
I HEREBY CERTIFY that the entries made herein are true and correct to the best of my knowledge and belief.			
10. DATE April 6 1963	11. SIGNATURE OF VETERAN R. E. Scoggin		12. ADDRESS (If different than item 4)
PENALTY -- The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material fact, knowing it to be false, or for the fraudulent acceptance of any payment to which you are not entitled.			

ROBERT SCOGGIN EXHIBIT NO. 35

Form approved
Budget Bureau No. 75-2061.2

VETERANS ADMINISTRATION EMPLOYMENT QUESTIONNAIRE		1. DATE MAILED Dec. 22, 1964
2. NAME AND ADDRESS OF VETERAN Mr. Robert E. Scoggin 818 Saxon Avenue Spartanburg, S. C.		3. CLAIM NO. c. 4 131 359 NOTE - Return completed form to Veterans Administration Office shown below. 4. ADDRESS OF VETERANS ADMINISTRATION OFFICE V.A. NATIONAL OFFICE 1801 Assembly Street Columbia, S. C.

This information is needed to determine your entitlement to compensation on the basis of unemployability. All questions should be answered fully and accurately. Please return the form promptly to insure that all evidence is available when your claim is considered.

5. SIGNATURE OF ADJUDICATION OFFICER
John W. Wilson
 JOHN W. WILSON
 Adjudication Officer

6. WERE YOU EMPLOYED BY OTHERS AT ANY TIME DURING THE PAST 12 MONTHS?

☐ YES ☒ NO (If "Yes," fill in items 7A to 7C, inclusive)

EMPLOYMENT BY OTHERS DURING PAST 12 MONTHS

7A. NAME AND ADDRESS OF EMPLOYER	7B. DATES OF EMPLOYMENT		7C. RATE OF WAGES OR SALARY RECEIVED
	FROM	TO	

8. WERE YOU SELF-EMPLOYED DURING PAST 12 MONTHS?

☐ YES ☐ NO (If "Yes," fill in items 9A to 9C, inclusive)

SELF-EMPLOYMENT DURING PAST 12 MONTHS

9A. KIND OF WORK	9B. MONTHS WORKED	9C. TOTAL EARNINGS
I bought and sold some used plumbing.		264.00
I have made and sold some hand tied fishing lures.		103.00
I made - Rat traps and what water.		134.00
misc.		73.00
		574.00

9. I HEREBY CERTIFY that the entries made herein are true and correct to the best of my knowledge and belief.

10. DATE Jan 1 1965 **11. SIGNATURE OF VETERAN** Robert E. Scoggin **12. ADDRESS (If different than item 2)**

WARNING -- The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material fact, knowing it to be false, or for the fraudulent acceptance of any payment to which you are not entitled.

FORM 21-140 EXISTING EDITIONS OF VA FORM 21-140, JUL 1959, WILL BE USED.

VA 22207

Mr. APPELL. Mr. Chairman, I do not have the employment questionnaire covering the year 1963, but I wish the record to show that an examination of the account at the Spartanburg Bank and Trust Company in Spartanburg and The South Carolina National Bank of Spartanburg, South Carolina, had deposited to those accounts during the year \$12,290.50.

Mr. WELTNER. Mr. Appell, during the course of the investigation, has any inquiry been made as to the nature of the deposits in the bank accounts of this witness and the nature of the withdrawals?

Mr. APPELL. Yes, sir; but not an itemized examination of each item deposited or each item withdrawn therefrom. The analysis of total income to the account is based upon the ledger cards of the accounts, copies of which we have.

Mr. WELTNER. What is the nature of the items deposited to the accounts?

Mr. APPELL. Some of the items deposited to the account are his monthly compensation from the Veterans' Administration. Additional items are income from his electrical and plumbing contracting business. Other checks which are shown payable to him as Grand Dragon of the realm have gone into these accounts in addition to the ones we have dealt with that were cashed at outside places.

This is the general analysis of the accounts. They include basically those three items.

Mr. WELTNER. For instance, in the year 1964, the sum of \$15,690, that consisted of compensation from the United States Government, receipts from the plumbing business that he operated—

Mr. APPELL. Yes, sir.

Mr. WELTNER. —and checks drawn to him as Grand Dragon of the Realm of South Carolina?

Mr. APPELL. Yes, sir. And in addition thereto, there is some income into these accounts in the form of loans which he has made in connection with his plumbing and electrical contracting business.

(At this point Mr. Ashbrook entered the hearing room.)

Mr. WELTNER. As to the checks drawn on those accounts, did you make an inquiry into the nature of those items?

Mr. APPELL. Yes, sir.

Mr. WELTNER. Were any of those checks drawn upon the accounts drawn for purposes of the Klan organization which he heads in South Carolina?

Mr. APPELL. We were unable to find any.

Mr. WELTNER. What was the nature of the items that were drawn against those accounts?

Mr. APPELL. Payments to an employee, payments for uniform rental, payments of household expenses, payments or repayments on loans and notes, and general household expenses.

Mr. WELTNER. Do I understand correctly that the document filed with the Veterans' Administration shows four items which total \$574 as total earnings during the year 1964, and your analysis of two bank accounts in the city of Spartanburg, South Carolina, shows deposits over that same period of \$15,690?

Mr. APPELL. Yes, sir. The total is \$574, and the total deposits to that account is \$15,690.50. That is to two accounts.

Mr. WELTNER. Thank you.

Mr. APPELL. Mr. Scoggin, the Veterans' Administration has reported to the committee that from December 1, 1949, through June 30, 1965, you have received \$47,307.27 as compensation for disability.

I ask you again, in the light of this income that you have received, whether or not the support for this income in the documents that I have read to you was fraudulently filed?

Mr. CHALMERS. Mr. Chairman, may I interpose an objection to the last question propounded to the witness?

The CHAIRMAN. I missed the last question. Read the question.

(The record was read by the reporter.)

The CHAIRMAN. I prefer for you not to object because that is not in the role of counsel.

Mr. CHALMERS. All right, sir.

The CHAIRMAN. I suggest you change the form of the question.

Mr. APPELL. I will strike the question.

First, I shall ask you whether or not it is a fact that I have recited to you that you did, during the year 1962, deposit to The South Carolina National Bank of Spartanburg, South Carolina, total deposits of \$11,612.35?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I ask you if it is factual that you deposited to the Spartanburg Bank and Trust Company, Spartanburg, South Carolina, in the year 1963, \$4,033.50, and to The South Carolina National Bank of Spartanburg, South Carolina, \$8,257, for a total deposit to those two accounts in the year 1963 of \$12,290.50.

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I ask you if it is factual that during the year 1964 you deposited to the First Commercial National Bank of South Carolina, Spartanburg, South Carolina, \$4,440, and to the Spartanburg Bank and Trust Company, Spartanburg, South Carolina, \$11,250, for a total deposit during the year 1964 of \$15,690.50?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Now, I shall ask you whether or not the application questionnaires which you filed annually with the Veterans' Administration truly reflected the employment income as set forth in those forms?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I have no further questions.

The CHAIRMAN. Wait a moment.

What was the question you asked about his total receipts from the Veterans' Administration? I wish you would ask that direct question and ask him if that is factual.

Mr. APPELL. I will ask you if it is factual that between December 1949 and June 30, 1965, you received as compensation from the Veterans' Administration \$47,307.27?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. Mr. Chairman—

The **CHAIRMAN.** Mr. Senner?

Mr. SENNER. Would Mr. Appell put into the record what the monthly compensations were that were received by the witness?

Mr. APPELL. Mr. Chairman, for the period 12-1-49 to 6-11-51, the rate was \$15 per month.

6-12-51 to 6-30-52, \$206 a month.

7-1-52 to 9-30-54, \$228.50 a month.

10-1-54 to 9-30-57, \$237 a month.

10-1-57 to 7-31-60, \$287.

8-1-60 to 8-9-60, \$323.

8-10-60 to 2-5-62, \$335.

2-6-62 to 9-30-62, \$323.

10-1-62 to 10-30-62, \$423.

10-31-62 to 8-25-63, \$348.

8-26-63 to 11-30-63, \$360.

12-1-63 to 2-8-64, \$348.

2-9-64 to 3-23-65, \$336.

3-24-65 to 6-30-65, \$324.

Mr. SENNER. Mr. Chairman, could Mr. Appell also put into the record what the VA limitation of income is before he would be denied benefits from the Veterans' Administration?

Mr. APPELL. I do not have that figure, sir. It is based on unemployment.

Mr. SENNER. Mr. Chairman, I would like to ask a question or two, if I may, of the witness.

Mr. Scoggin, on your Veterans' Administration employment questionnaire, the date it was mailed being April 4, 1962, Budget Bureau No. 76-R351.1, this form being approved, you stated for that period, for the past 12 months, that you were not employed. Is that a true statement?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. On your form that you filled out April 3, 1963, Claim No. C-4131359, the same approved form by the Budget Bureau, again in response "Were you employed by others at any time during the past 12 months?" you responded, "No."

Were you, in fact, employed by others during that period of time?

Mr. SCOGGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. Would the same hold true for the year 1964, for which you filled out the same form with the same claim number, in which you responded that you were not employed by others?

Mr. SCOGGINS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. I direct your attention to the bottom portion of that form, and I will hand you one. It reads:

I hereby certify that the entries made herein are true and correct to the best of my knowledge and belief.

It is signed by you:

April 6, 1963, R. E. Scoggin.

On each one of these forms it has the penalty :

The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of material fact, knowing it to be false, or for the fraudulent acceptance of any payment to which you are not entitled.

Did you read that paragraph?

Mr. SCOGGIN. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Chairman, I have no questions, but I have this comment that I would like to offer at this point.

I have been concerned to be sure that this committee is on sound ground so far as directing witnesses to respond to subpoena, as far as this witness is concerned and previous witnesses who may appear here.

I simply wanted the record to show that I, for one, am cognizant of the case of *McPhaul versus United States*. That is a Supreme Court decision for the October Term of 1960, reported in 364 U.S. 372.

It appears to me that this is a case that is quite pertinent to this inquiry. The question came up on the refusal of a witness to respond to the subpoena issued by this committee. The witness was served in a representative capacity as executive secretary of a group called the Civil Rights Congress. He was directed to produce all records, correspondence, and memoranda pertaining to the organization of, the affiliation with other organizations, and all moneys received or expended by the Civil Rights Congress.

He refused to do so, claiming, among other grounds, that to do so would violate the fifth amendment in that it would require him to incriminate himself. The Court dealt with all of the several objections of the petitioner, and on page 7 of the opinion I find this language:

The Fifth Amendment did not excuse petitioner from producing the records of the Civil Rights Congress, for it is well settled that "[b]ooks and records kept 'in a representative rather than in a personal capacity cannot be the subject of the personal privilege against self-incrimination, even though production of the papers might tend to incriminate [their keeper] personally.' * * *"

Citing in support thereof three other Supreme Court decisions.

So it appears to me that this decision in the *McPhaul* case is directly applicable here. It deals with the same committee, the same subpoena process, and the same claim of immunity.

Further, I will suggest that, when the time is appropriate, Mr. Chairman, either in executive session or when the chairman so directs, it would be in order to entertain a motion that the transcripts of these proceedings be promptly forwarded to the appropriate offices of the executive branch of the Government of the United States for such action as might be indicated by the content of those transcripts.

THE CHAIRMAN. That certainly will be considered in due time and I appreciate your statement with reference to the Supreme Court case referred to.

Let me say this: The Chair permitted the entry into evidence information on the dealings of this witness with the Veterans' Administration, not because of its pertinency in and of itself, but that evidence is completely appropriate to this inquiry, and pertinent and relevant, be-

cause, as I announced in my opening statement, certainly we, and, in turn, the Congress, are interested in developing the type of people in positions of trust and leadership in the various Klan groups.

It is further perfectly competent to hear evidence about the general income and outgo of the sources of revenue of those people and then, too, in the shape of cross-examination, it is always competent to test the credibility of witnesses.

Mr. APPELL. I have no further questions.

The CHAIRMAN. Are there any further questions?

Mr. Scoggin, you are dismissed for today, but you are continued under subpoena until January 1st of next year.¹

The committee will stand in recess for 5 minutes.

(Whereupon at 2:30 p.m. a brief recess was taken. Subcommittee members present at time of recess: Representatives Willis, Weltner, Ashbrook, and Buchanan.)

(The subcommittee reconvened at 2:40 p.m., with the following subcommittee members present: Representatives Willis, Ashbrook, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

(At this point Mr. Weltner entered the hearing room.)

The CHAIRMAN. The Chair states that Mr. Philip Manuel will conduct the examination for the balance of the afternoon.

Call your next witness, Mr. Manuel.

Mr. MANUEL. Mr. Chairman, the staff would like to call as the next witness Mr. Calvin Craig.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth—your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRAIG. I do.

The CHAIRMAN. Proceed.

TESTIMONY OF CALVIN FRED CRAIG, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. MANUEL. Mr. Craig, will you please state your full name for the record, sir?

Mr. CRAIG. Calvin F. Craig.

Mr. MANUEL. When and where were you born, Mr. Craig?

Mr. CRAIG. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on May 5, 1928, in Clayton County, Georgia.

¹ Mr. Scoggin was not recalled, and on Nov. 29, 1965, was discharged from further appearance under his subpoena.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Would you please give the committee a résumé of your educational background?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you attended high school in Clayton County, Georgia, but did not graduate.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, at this point, I would like to state for the record that the committee investigation has determined that Mr. Craig is the Grand Dragon of the State of Georgia for the United Klans of America, and he has held that position continuously since February of 1961.

Mr. CRAIG. I put it to you as a fact, and ask you to deny or affirm the fact, that you are and have been the Grand Dragon of the Realm of Georgia since February 1961.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Chairman, I think it ought to be clear that Mr. Manuel is under the same oath that he took on the first day of these hearings.

Mr. CHALMERS. I, as counsel for this witness was certain that Mr. Manuel was still under oath.

Mr. WELTNER. Thank you.

Mr. MANUEL. Mr. Craig, investigation conducted by the committee has established that you originally joined the U.S. Klans, Knights of the Ku Klux Klan, in or about February 1959——

Mr. CRAIG. I respectfully decline——

Mr. MANUEL. I didn't ask you a question.
—and that as early as September 1960 you were the Grand Dragon for the State of Georgia of the U.S. Klans.

I put it to you as a fact, and ask you to affirm or deny the fact, that you did join the U.S. Klans in February of 1959.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact that, in September 1960, you held the office of Grand Dragon of Georgia for the U.S. Klans.

Mr. CRAIG. I respectfully decline to answer that question for the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that the last election of the Realm of Georgia of the United Klans of America was held in Savannah, Georgia, in July of 1965, and that you were reelected as the Grand Dragon of the Realm of Georgia.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Craig, are you appearing before the committee today in response to a subpoena served upon you at 8 p.m. on the 11th day of October 1965 by Deputy Marshal O. Davis?

Mr. CHALMERS. Mr. Chairman, I will stipulate that he is here in response to the subpoena, and that the return on the subpoena will speak for itself.

The CHAIRMAN. And is correct?

Mr. CHALMERS. Yes, sir.

Mr. MANUEL. Mr. Craig, this subpoena was delivered to you at 722 Pearce Street, Southwest, Atlanta, Georgia, which is your current residence?

Mr. CRAIG. I respectfully decline to answer that question based on the grounds previously stated.

Mr. MANUEL. Mr. Craig, an attachment to this subpoena requires you to produce certain documents before the committee. I will now read the first paragraph of that subpoena:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, the Georgia Rescue Service, and the State Men's Club in your possession, custody or control, or maintained by you or available to you as Grand Dragon, Realm of Georgia of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you at this time to produce those books and records called for in paragraph 1 of this subpoena.

Mr. CRAIG. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 8, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 8, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Chairman, I ask that the witness be directed to produce the books and documents called for in paragraph 1 of the subpoena.

The CHAIRMAN. Mr. Chalmers, in each previous instance we made the following stipulation: (1) That the witness has been furnished with a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

That stipulation is now made with reference to this witness?

Mr. CHALMERS. It certainly is, sir.

The CHAIRMAN. I now order and direct you to produce the documents called for in paragraph 1 of the attachment to the subpoena, indicating that the committee takes the position that your failure to do so will subject you to contempt citation.

Mr. CRAIG. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Craig, paragraph 2 of that subpoena calls for:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Dragon, Realm of Georgia of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask you, Mr. Craig, to produce the documents called for in paragraph 2 of the subpoena.

Mr. CRAIG. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, I ask that the witness be directed to produce the documents.

The CHAIRMAN. The same stipulation with reference to paragraph 1 is agreed to as to paragraph 2?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. For the reasons already indicated, Mr. Craig, I order and direct you to produce those documents.

Mr. CRAIG. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Craig, paragraph 3 of that subpoena calls for:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, "U.S. Corporation Income Tax Return," and other Federal Income Tax Returns, corporate or otherwise, for the fiscal or calendar years 1961 through June 30, 1965, filed by you with the U.S. Treasury Department, Internal Revenue Service, or in your possession, custody, or control, as Grand Dragon, Realm of Georgia, and being the Federal Income Tax Returns for or of the organizations and affiliated organizations named in item numbered (1) above.

They would be the Alabama Rescue Service, the Georgia Rescue Service, and/or the State Men's Club.

Mr. CRAIG. I respectfully decline—

Mr. MANUEL. I now ask you, Mr. Craig, to produce those documents as outlined in paragraph 3.

Mr. CRAIG. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. CHALMERS. The same stipulation, Mr. Chairman.

The CHAIRMAN. The same stipulation is made.

Mr. MANUEL. Mr. Craig, paragraph—

The CHAIRMAN. I will tell you that the reasons given for your refusal are not accepted. I order and direct you to produce those documents.

Mr. CRAIG. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Craig, paragraph 4 of the subpoena calls for:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar or fiscal years 1963 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I now ask you, Mr. Craig, to produce those documents called for in paragraph 4.

Mr. CRAIG. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

The CHAIRMAN. I do not order you to produce those documents because it is a matter involving you personally and you have a right to invoke the protection and the privilege of the fifth amendment.

Proceed.

Mr. MANUEL. Mr. Craig, a few moments ago I mentioned the last election held of the Realm or State of Georgia, United Klans of America, and told you that the results of the investigation conducted by the committee has established that you were elected the Grand Dragon of the Realm of Georgia.

The investigation conducted by the committee has established that Thomas Jenkins was elected at that convention to the position of Grand Klaliff. I put it to you as a fact, and ask you to affirm or deny the fact, that Thomas Jenkins was elected to the position of Grand Klaliff.

Mr. CRAIG. I respectfully decline to answer that question for the reasons that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Investigation conducted by the committee has established that John M. Parker was elected at that convention to the position of grand kligrapp, or secretary.

I put it to you as a fact, and ask you to affirm or deny the fact, that John M. Parker was elected to that position.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Investigation has revealed that the following persons were elected to the positions which I will identify: James Douglas Newberry was elected to the position of grand klabee, or treasurer; Grady C. Little was elected to the position of grand kladd—

Mr. WELTNER. Do you have the residence addresses of those persons?

Mr. MANUEL. Yes, sir.

Mr. WELTNER. The cities in which they live?

Mr. MANUEL. Yes, sir.

Mr. WELTNER. Would you include that in your question? Start with the first one.

Mr. MANUEL. Thomas Jenkins was identified by our investigation as residing at 2744 Stockbridge Road, Lithonia, Georgia. John M. Parker, whom our investigation has established to be the grand kligrapp of the Realm of Georgia, resides at 162 Prospect Street, in Roswell, Georgia. James Douglas Newberry, who was elected to the position of grand klabee, or treasurer, resides at 656 Mayland Avenue, Southwest, Atlanta, Georgia. Grady C. Little, who was elected to the position of grand kladd, resides at 4918 Glaze Drive, Doraville, Georgia.

Our investigation further reveals that John L. Brock, 3235 Canary Court, De Kalb County, Georgia, was elected to the position of grand klokard; further, that Charles Malcomb Bartlett, of 292 Connolly

Road, Forest Park, Georgia, was elected to the position of grand klarogo; further, that Cleveland Eugene Canup, who resides at Route 2, Box 84, Lilburn, Georgia, was elected to the position of grand klexer; further, that J. D. Johnson, whose address is Brown Road, Stone Mountain, Georgia, was elected to the position of grand kludd; further, that David J. Mathis, who resides on Route 3, Lawrenceville, Georgia, was elected to the position of grand night-hawk.

Mr. CRAIG, I put it to you as a fact, and ask you to affirm or deny the fact, that the results of our investigation with regard to the identity of the grand officers is correct.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Craig, I would like to show you a copy of a charter of the Invisible Empire, United Klans, Knights Ku Klux Klan of America, Inc., as the same appears on file in the records of the Office of Secretary of State of the State of Georgia, which was filed on the 21st day of February 1961, and grants corporate existence to the Invisible Empire, United Klans, Knights Ku Klux Klan of America, Inc., and ask you if that was the date when the organization, Invisible Empire, United Klans of America, was established.

(Document handed to witness.)

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 2.")

Mr. MANUEL. Identified, Mr. Craig, as the original incorporators of that organization are Robert Day, 4422 Gregory Road, Decatur, Georgia; George Sligh, of 246 Wayne Avenue, Jonesboro, Georgia; and William A. Daniel, Sr., Post Office Box 455, Mableton, Georgia; and M. Wesley Morgan, Sr., of 27 Gould Street, Southeast, Atlanta 15, Georgia.

Do you know these people, Mr. Craig, to be members of the United Klans of America at the present time?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Craig, I would like to now show you the annual registration statement filed in the Office of Secretary of State of the State of Georgia for the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., which statement was filed on the 15th day of September 1964, and which identifies the name of the corporation as it exists today as the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., listing the President as Robert M. Shelton, of Suite 401, Alston Building, Tuscaloosa, Alabama, and listing the principal office in Georgia as 772 Pearce Street, Atlanta, Georgia, and identifying the authorized agent in Georgia as Calvin F. Craig.

Mr. CRAIG, I hand you this document and ask you if the information contained on this registration is factual?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 1." Sec pp. 1602, 1603.)

Mr. MANUEL. Mr. Craig, I would like to ask you if you, as Grand Dragon of the State of Georgia, have ever attended or been a party to instructions in the art of demolition, judo, or any other type of military training?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that in October of 1961 you, as Grand Dragon of the Realm of Georgia for the newly formed organization, United Klans of America, attended such an explosive demonstration and demolition instruction school in the vicinity of Macon, Georgia, on property owned by an individual named O. C. Mixon.

I put it to you as a fact, and ask you to affirm or deny that fact.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that the instructors at that demolition school were William B. Crowe, who was assisted by William A. Anderson.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, at this point, I would like to read into the record the results of our investigation which determined exactly what demonstrations were made that day with regard to explosives and dynamite, and I would like to read each of these demonstrations into the record.

The CHAIRMAN. Proceed.

Mr. MANUEL. Number one demonstration was how to set up a booby trap, using a mercury switch taken from an old washing machine, flashlight batteries, wire, and dynamite.

A demonstration was given showing how these materials can be rigged to explode whenever an object is moved.

The second demonstration was how to rig various types of fuse caps to dynamite in preparation for exploding the dynamite. In connection with this instruction, two types of fuses were demonstrated. One type was for detonation of dynamite using an electrical spark obtained from a flashlight battery. The other type was a safety fuse which detonated the dynamite by lighting the fuse which, in turn, sets off the dynamite.

Various types of this fuse were demonstrated showing the various speeds of the type of fuse.

The third demonstration given was how to rig an explosive charge that will give 3 or 4 minutes getaway time. In this demonstration, a piece of board about 2 feet long and 6 inches wide was used. A stick of dynamite was taped to one end of the board with black friction tape. A short piece of safety fuse was attached to the stick of dynamite and immediately in front of this fuse was placed a wad of cotton impregnated with cigarette lighter fluid. A book of matches was then taped to the board in front of the cotton.

To explode the dynamite, they placed a lighted cigarette between the matches in the matchbook. When the cigarette burned down, it ignited the matches which, in turn, ignited the cotton which ignites the fuse.

In a demonstration which took place of this method, the explosion took place between 5 and 6 minutes after the lighted cigarette was placed.

The fourth demonstration which was taught was how to start an intense fire in an automobile, house or building. In demonstrating this method, instructor William Crowe took a small medicine bottle, about 2 inches tall, which was about two-thirds full of a powdery substance. He said this substance was powdered sugar and potassium chlorate. He then took a gelatin capsule and placed therein one or two drops of sulphuric acid. He said this acid can be obtained from the battery of an automobile.

He then dropped the capsule into a medicine bottle and loosely replaced the lid. About 5 minutes later the bottle burst into an intense blue flame which lasted for several minutes.

Crowe, during this demonstration, talked about the possibilities of using this type of device in department stores who integrate their eating facilities. He said a man could try on a new suit and leave one of these devices in the pocket.

The fifth type of demolition taught was how to destroy an automobile with simple, easy to obtain materials. For this demonstration, Crowe used a quart fruit jar half filled with gasoline. He used adhesive tape to tape a 2-inch firecracker to the side of this jar. He then lit the firecracker and threw the jar into the back seat of a junked automobile which was being used for the demonstration.

When the firecracker exploded, 2 or 3 seconds later, it burst the fruit jar and threw gasoline fumes over the inside of the automobile which, in turn, exploded.

This explosion and fire was so intense that Crowe stated that no person would have a chance to escape from that automobile.

The sixth type of explosion device taught was how to explode a type of fertilizer used by farmers known as sodium phosphate.

Mr. Chairman, investigation shows that upon completion of these explosive instructions and demonstrations which took approximately 3 hours, those present engaged for a short period in practice of the revolver and rifle.

I put it to you as a fact, Mr. Craig, and ask you to affirm or deny the fact, that you, as Grand Dragon of the State of Georgia, along with other members of the United Klans of America, including the Imperial Wizard, Robert M. Shelton, attended that explosive demonstration in October 1961.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Craig, I put it to you as a fact, and ask you to affirm or deny the fact, that during your tenure as Grand Dragon of the State of Georgia for the United Klans of America many such explosive and judo and karate demonstrations have been given with your full knowledge and approval.

I put it to you as a fact, and ask you to affirm or deny that fact.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, I would like at this time to read into the record another such explosive-judo-karate demonstration which

took place on October 17, 1964, held on the farm of Robert L. Bing in Henry County, Georgia.

Bing has been identified by our investigation as the exalted cyclops of the Clayton County Klavern No. 52.

The purpose of this meeting on October 17 was to learn how to assemble and disassemble the M1 rifle, how to make molotov cocktails, using bottles filled with a mixture of gasoline and motor oil, and how to make small bombs from dynamite. A demonstration was given by the instructor in rigging a booby trap using a string stretched across a path in the woods. There was also a demonstration in making various types of fuses with which to ignite dynamite bombs. Included in the instruction was a guerrilla warfare problem in which the group considered problems of taking over a radio station and a power plant.

Our investigation has revealed that the instructors at this explosive and judo demonstration were Daniel Bruce and Charles M. Bartlett, who was previously identified as the grand klarogo of the Realm of Georgia.

Daniel Bruce has been identified by our investigation as an officer of the Clayton County Klavern No. 52.

Mr. Craig, I put it to you as a fact, and ask you to affirm or deny the fact, that such an explosion demonstration was given on the farm of Robert L. Bing on October 17, 1964.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I further put it to you as a fact, and ask you to affirm or deny the fact, that this was done with your full knowledge and approval.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that the instructors identified at this demonstration, Daniel Bruce and Charles M. Bartlett, are officers of the United Klans of America, Realm of Georgia.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Craig, I would like to show you a copy of an order which you disseminated to Klansmen as Grand Dragon of the Realm of Georgia, headed "United Klans of America, Inc., Knights of the Ku Klux Klan, P.O. Box 10753, Atlanta, Georgia," dated January 17, 1965.

(Mr. Manuel then read the following document, which was marked "Calvin Craig Exhibit No. 1":)

CALVIN CRAIG EXHIBIT No. 1

United Klans of America, Inc.
 Knights of the Ku Klux Klan
 P. O. Box 10753
 Atlanta, Georgia
 January 17, 1965

Esteemed Klansmen:

We will start Judo, Karate, and Rifle and Pistol firing training on Monday, January 25, 1965 at the Henry County #60 Klavern.

Four (4) trophies have already been purchased by Klanton #52 Klavern. There will be a trophy for each of the above classes. Everyone who participates in the training MUST sign a release of all responsibilities.

Each participant will pay \$2.50 to cover 2 1/2 months of training. This training is sponsored by Klanton #52. Contact #52 for any further information.

I. T. S. U. B.

CALVIN F. CRAIG, GRAND DRAGON
 RE IN OF GEORGIA

Mr. MANUEL. Mr. Craig, I show you this and ask you if this a factual representation of what you sent out to persons you addressed as "Esteemed Klansmen."

(Document handed to witness.)

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Craig, paragraph 4 of the charter which was issued by the State of Georgia for the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., says:

The general purpose of the corporation shall be to teach patriotism, to support the Constitution and Laws of the United States and the several States wherein said corporation may be established, and to maintain the liberty bequeathed to us by our forefathers, and to preserve the American way of life.

Mr. Craig, I ask you to explain to the committee how, in light of the explosion demonstrations, judo, and karate which the members of the United Klans of America, Realm of Georgia, engage in that this condition can be satisfied.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 2.")

Mr. MANUEL. Mr. Chairman, at this point the staff would like to request that Mr. Craig be temporarily dismissed and recalled at a later date in the Georgia phase of the United Klan hearings.

The **CHAIRMAN.** Some members might have some questions.

Mr. WELTNER. I have some questions, Mr. Chairman.

Mr. Craig, on February 7, which was a Sunday, 1965, did you attend a meeting in the city of Atlanta with other Klan leaders from Georgia, South Carolina, North Carolina, Tennessee, Mississippi, Alabama, and Louisiana?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. I am looking at a clipping from the *Atlanta Constitution*, dated Monday, February 8, 1965, and it quotes you and Im-

perial Wizard Robert M. Shelton to the effect "the Klan is taking its gloves off" and is beginning a "direct action" attack.

I would like to know what was meant by the terms "taking its gloves off" and "direct action."

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Calvin Craig Exhibit No. 2" appears on p. 2163.)

Mr. WELTNER. Was the training of judo, karate, explosives, demolition, what was meant by direct action? Is this what is meant by taking the gloves off?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Where was that meeting held on Sunday, February 7, Mr. Craig?

Mr. CRAIG. I respectfully decline to answer that question based on the grounds previously stated.

Mr. WELTNER. I would like to hand you two documents, one of them being a leaflet saying "HEAR & SEE Robert M. Shelton, Imperial Wizard [and] Calvin F. Craig, Grand Dragon of Ga.," October 17, 1965, Bacon Park at Memorial Stadium, Savannah, Georgia, "Public Invited," United Klans of America, Inc.

I would like to know whether or not that is what it appears to be, a public meeting of the United Klans to be held on that day, October 17, 1965.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Calvin Craig Exhibit No. 3" appears on p. 2164.)

Mr. WELTNER. I hand you also a leaflet entitled "United Klans Of America, Inc., Knights Of The Ku Klux Klan, Realm of Ga., P.O. Box 10753, Atlanta, Georgia," the same post office box previously mentioned in the testimony, and ask you whether or not that leaflet was disseminated and distributed to those who attended that rally on October 17, in the city of Savannah, Georgia?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Calvin Craig Exhibit No. 4" and retained in committee files.)

Mr. WELTNER. I hand you a series of photographs which I have marked on the reverse side thereof as 1, 2, 3, and 4.

I state as a fact that these photographs were taken at that meeting on October 17, 1965, and I will ask you whether or not photograph 1 is not a photograph of yourself in attendance at that meeting?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. And photograph 2 is a picture of a man who is dressed in a robe that is either green or red.

I will ask you the identity of the man who appears in that robe, in the darker colored robe in photograph 2.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Photograph No. 3 is a picture, I believe, of a man with glasses and a white robe, having some sort of a distinctive insignia on the front.

CALVIN CRAIG EXHIBIT No. 2
 [Atlanta Constitution, February 8, 1965]

'Taking Off Gloves, Mopping Up,' Klan Says

By BILL SHIPP

Constitution State News Editor

The Imperial Wizard of the Ku Klux Klan announced angrily Sunday night that "the Klan is taking its gloves off" in a "direct action" attack against integrationists in Georgia.

"You can call this a mopping-up operation because that's what we are going to do—mop up," said Robert Shelton of Tuscaloosa, Ala., the Klan's Imperial Wizard.

Shelton was in Atlanta for what he described as a "strategy session" with Klan leaders from Georgia, South Carolina, North Carolina, Tennessee, Mississippi, Alabama and Louisiana.

Neither Shelton nor Georgia Grand Dragon Calvin Craig would spell out exactly what they meant by the "gloves-off" policy.

Craig said the closing of Lester Maddox's cafeteria "is the last straw as far as I'm concerned."

Both Shelton and Craig said one target of their attack will be Georgia's white politicians "who have done nothing but give lip service to the white man while they went to bat for the niggers. . . ."

The Klan officials said they were including Sen. Richard Russell and Sen. Herman Talmadge among the politicians they plan to "take action against."

Shelton and Craig said they were confident of wide support for their campaign in Georgia

because of the result of the election.

"Just remember this: Dick Russell took off for Europe when the election campaign was going on, and he could have been down here campaigning for the white man," Craig said. "And everytime a nigger is elected to office, little Herman (Talmadge) has to take him down to his farm for a chitterling dinner and pig ear salad."

Shelton also lambasted Fifth District Rep. Charles Weltner and said the Klan would go all out to unseat him. Shelton said he planned personally "to expose Mr. Weltner."

Weltner, a newly appointed member of the House Un-American Activities Committee, has proposed an investigation of the Klan by that committee.

"I don't see how Mr. Weltner can sponsor a dinner for Dr. Martin Luther King, who is a sponsor of a committee to abolish the House Committee on Un-American Activities," Shelton said.

"You can look for a real upsurge in Klan activities in the next few months. Some of it will be direct action, and some of it may be undercover," the Klansmen said.

The Klansmen said they had planned to have dinner at Lester Maddox's cafeteria Sunday night. When Maddox closed his doors rather than integrate, Shelton said the Klan offered the restaurateur its support.

CALVIN CRAIG EXHIBIT NO. 3

HEAR & SEE

Robert M. Shelton Imperial Wizard
Calvin F. Craig Grand Dragon of Ga.

Yesterday, Today



OCTOBER 17, 1965

3:00 P. M.

**BACON PARK AT
MEMORIAL STADIUM
SAVANNAH, GEORGIA**

and Forever

If you are WHITE you should attend this Meeting!
Klansmen in Robes will show you the way
to the Meeting.

Public Invited

RAIN OR SHINE

UNITED KLANS OF AMERICA, INC., KKKK
P. O. Box 10753
Atlanta, Georgia

I will ask you the identity of that man.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Photograph No. 4 shows six or seven men in Klansman uniform, and it is, I will state as a fact, taken at that same meeting.

I will ask you to identify the individuals in that photograph.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

(Photographs marked "Calvin Craig Exhibit No. 5." Photographs Nos. 2 and 4 follow: Nos. 1 and 3 retained in committee files.)

Mr. WELTNER. All right, sir.

Now, in the document which you were previously handed, entitled "United Klans Of America, Inc.," Realm of Georgia, there is this statement, and I should like to ask you what is mean by this statement: "Georgia won its battle in the last national election, but the war was lost."

I would like to ask what that statement means, Mr. Craig.

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. I have one further question.

The witness is a resident of the Fifth Congressional District of Georgia. Previous testimony here has shown the structure of the Klan to be divided within a realm into provinces which are contiguous with congressional districts.

CALVIN CRAIG EXHIBIT No. 5
Photograph No. 2



CALVIN CRAIG EXHIBIT NO. 5—Continued

Photograph No. 4



Photographs taken at UKA meeting Oct. 17, 1965, in Savannah, Ga.

I should like to know, as a matter of curiosity, the name of the grand titan of the Fifth Province of Georgia?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. No further questions.

Mr. ASHBROOK. Mr. Chairman, I would like to ask one question.

In the charter which is on file with the secretary of state, which has been referred to previously by counsel, in paragraph 3 your organization states as its purpose that the organization shall be social, fraternal, charitable, and beneficent.

Is it not a fact that the true aims of your organization are not remotely similar to or connected with these high-sounding purposes set out in this charter?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. ASHBROOK. In the area of "direct action" referred to by Representative Weltner awhile ago, we have already had testimony to the effect that direct action, political action, is being considered against Representative Willis.

Would it be possible that you are considering direct political action of that type against other members of this committee?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. ASHBROOK. I have no further questions, Mr. Chairman.

Mr. WELTNER. Mr. Chairman?

Concerning the question of Mr. Ashbrook, I have one further question.

I am reading a quote from the same paper, the *Atlanta Constitution* of February 8, 1965. After that I will have a question for the witness as to whether or not this is an accurate quote ascribed to him.

At the meeting which this paper states was held in Atlanta, Georgia, on the 7th:

The Klan officials said they were including Sen. Richard Russell and Sen. Herman Talmadge among the politicians they plan to "take action against."

Shelton and Craig said they were confident of wide support for their campaign in Georgia because of the result of the election.

"Just remember this: Dick Russell took off for Europe when the election campaign was going on, and he could have been down here campaigning for the white man," Craig said. "And everytime a nigger is elected to office, little Herman (Talmadge) has to take him down to his farm for a chitterling dinner and pig ear salad."

Shelton also lambasted Fifth District Rep. Charles Weltner and said the Klan would go all out to unseat him. * * *

I would like to ask, Mr. Craig, if that is an accurate résumé of the conversation of yourself and Mr. Shelton on that occasion in February 1965?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. That is all.

Mr. BUCHANAN. Mr. Craig, like Mr. Scoggin, you are a part of the Invisible Empire and are in charge of a realm, and their political subdivisions which I understand are called provinces.

In earlier testimony, I understand the word was used that your new members are naturalized into the Klan. You pay taxes to the realm and to the Empire. You take an oath which can come in conflict with the duties of citizenship of your members to the State, to the United States, because they take an oath of secrecy, as I understand, in which they will not violate this secret of another member, except in the case of malicious murder and a few other things, so that all sorts of criminal acts could be committed which their oath of secrecy would forbid them to reveal, even under oath as you are now.

In the light of all of this, I want to ask you what I earlier asked Mr. Scoggin. As a naturalized citizen and leader of the Invisible Empire, does your loyalty to that Empire supersede and is it greater than your loyalty to the United States?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. BUCHANAN. I would like to say, Mr. Chairman, in response to Mr. Weltner's query, I don't know what the gentleman meant by the victory won in Georgia in the last election.

I would say, however, that any victories won in political elections in Georgia or in my own State of Alabama are by no means attribut-

able to the organization being investigated here, and that the military preparations made by this organization and in connection with which they referred to direct action, of course, have no application in politics.

I am very much interested in exactly whom these military operations are going to be conducted against.

Mr. Craig, you are teaching people how to make bombs and all sorts of other military training. Against whom are you going to conduct military operations? The United States, the State of Georgia, or whom?

Mr. CRAIG. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Let me assure my colleague that I simply asked the question for information as to what was meant by winning the battle in Georgia but losing the war. I make no inference from that.

I simply wanted to know the meaning of that as contained in that pamphlet.

Mr. MANUEL. Mr. Chairman, I ask that the documents exhibited to Mr. Craig at the point of interrogation be made a part of this record, sir.

Mr. ASHBROOK. Including those of Mr. Weltner? I would like to see those as part of the record.

The CHAIRMAN. It is so ordered.

Mr. Craig, we have many more questions to ask of you. You are excused, but you remain under subpoena, to report back before the committee on November 5, 1965, this year.¹

The committee will stand in recess until Monday morning, next, at 10 o'clock.

(Subcommittee members present at time of recess: Representatives Willis, Weltner, Ashbrook, and Buchanan.)

(Whereupon, at 3:34 p.m., Thursday, October 28, 1965, the subcommittee recessed, to reconvene at 10 a.m., Monday, November 1, 1965.)

¹ Mr. Craig was not recalled, and on Jan. 6, 1966, was discharged from further appearance under his subpoena.

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 2

MONDAY, NOVEMBER 1, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:10 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John M. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Committee member also present: Representative Richard H. Ichord, of Missouri.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

Counsel, call your first witness.

Mr. APPELL. The representative of the Heritage Garment Works.

The CHAIRMAN. Please come forward. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NEWTON. I do.

The CHAIRMAN. Proceed.

TESTIMONY OF YOUNGER M. NEWTON, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. CHALMERS. Mr. Chairman, before we do proceed, I think possibly——

Mr. POOL. Mr. Chairman, let's have the man who has been sworn in identify himself.

Mr. CHALMERS. I think that is what we need to do from this standpoint: The subpoena reads to Heritage Garment Works, and does not list anyone specifically. I thought that you and myself could stipulate this man's name and his title with the garment works for any purposes that you see fit.

The CHAIRMAN. Mr. Chalmers, I understand you will stipulate that the entity named in the subpoena, Heritage Garment Works of Columbia, South Carolina, is a partnership.

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. And the name of the two partners?

Mr. CHALMERS. Mr. Younger M. Newton, who sits here at my right, who is here in response to the subpoena.

Mr. POOL. And the man who was just sworn in?

Mr. CHALMERS. Yes, sir. And Mr. G. E. Blizzard is a copartner, also of Columbia, South Carolina.

The CHAIRMAN. And this witness, Younger Newton, is appearing as a representative of the partnership?

Mr. CHALMERS. Yes, sir; Younger M. Newton.

The CHAIRMAN. Let's now stipulate. It is stipulated that Heritage Garment Works of Columbia, South Carolina, is a partnership composed of Younger M. Newton and——

Mr. CHALMERS. G. E. Blizzard.

The CHAIRMAN. And that the witness just sworn, Younger M. Newton, is appearing here as a representative of the partnership.

Mr. CHALMERS. Yes, sir; in response to the subpoena.

The CHAIRMAN. In response to the subpoena.

Mr. CHALMERS. When was that served, Mr. Appell?

Mr. APPELL. October 28.

The CHAIRMAN. All right. Proceed.

Mr. APPELL. Mr. Witness, do you agree with the stipulation of your counsel that you are Younger M. Newton and appearing in accordance with the subpoena?

The CHAIRMAN. Certainly counsel has a right to enter into the stipulation.

Mr. CHALMERS. I don't have objection to him answering that question.

The CHAIRMAN. All right.

Mr. NEWTON. That is true; yes.

Mr. APPELL. Your appearance here in accordance——

The CHAIRMAN. Identify counsel.

Mr. APPELL. Are you represented by counsel?

Mr. NEWTON. Yes.

Mr. APPELL. Will counsel identify himself for the record, please?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

The CHAIRMAN. Now that counsel has been identified, the stipulation is reiterated, including the response of his client?

Mr. CHALMERS. Yes, sir.

Mr. APPELL. Mr. Newton, are you appearing here in accordance with a subpoena addressed to the Heritage Garment Works, 522 Howard Street, Columbia, South Carolina, served by personal service upon Mrs. Evelyn Newton and Mr. Gilbert Edward Blizzard at 1:15 p.m. on the 28th day of October 1965?

Mr. NEWTON. Yes.

Mr. APPELL. Mr. Newton, when and where were you born?

Mr. NEWTON. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on July 27, 1915.

Mr. NEWTON. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Other than the partnership known as Heritage Garment Works, do you have other employment?

(Witness confers with counsel.)

Mr. NEWTON. I respectfully decline to answer the question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are employed full-time by the International Pipe and Ceramic Company, Columbia, South Carolina.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Newton, under the terms of the subpoena, the Heritage Garment Works was commanded to bring and produce:

Orders, contracts, correspondence, records of payments of all robes (Klansmen, Kleagle, King Kleagle, Titan, Grand Officer, etc.) and Blood Drop Insignia sold to any individual or organization from January 1, 1961, to present.

As a representative of Heritage Garment Works, I ask you to produce the items called for in the subpoena.

Mr. NEWTON. I respectfully decline to deliver to the committee any and all records as requested by this committee in subpoena dated October 28, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such required within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 28, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents called for in the subpoena in his representative capacity.

The CHAIRMAN. Mr. Chalmers, we have all along in the past entered into the following stipulation: that the witness has been furnished with a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; that the directions of the subpoena to produce the documents called for are made to the witness in his official representative capacity described in the subpoena.

Mr. CHALMERS. I think possibly we should correct that to be "as so stipulated today."

The CHAIRMAN. And as so stipulated today.

Is that agreeable?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Newton, the committee does not accept the reasons you gave for failing to produce the documents, and you are, therefore, ordered and directed to produce them.

Mr. NEWTON. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. APPELL. Mr. Newton, I shall hand to you, after I read it into the record, a copy of a document produced by the State Bank and Trust Company, West Columbia, South Carolina, in accordance with a subpoena duces tecum served upon the bank for books, records, canceled checks, and other documents relating to Heritage Garment Works.

This document is headed, "Individual Unincorporated Operating Under Trade Name Authority To Open Deposit Account," dated May 3, 1965, addressed to "State Bank & Trust Co., West Columbia":

The undersigned desires to establish with you a deposit and checking account to be known as Heritage Garment Works and hereby certifies that said name is a trade name used in the conduct of an unincorporated business, owned entirely by the undersigned.

Checks and orders for the payment of money withdrawing funds from said account may be signed by: Younger M. Newton OR G. E. Blizzard.

Checks, drafts, notes, bills of exchange and orders for the payment of money may be endorsed by any of the above and deposited with you for the credit of said account. Such endorsements may be made in writing or by a stamp and without designation of the person endorsing.

The undersigned authorizes and requests you to pay and charge said account checks, obligations and orders for the payment of money drawn on or payable at, or which shall be paid or honored by your bank when so signed whether payable to the order of any of said signers or not; and further authorizes and requests you to receive deposits and conduct the said account in accordance with the instructions stated above, and stated on the authorized signature card filed with you by the undersigned.

If any other person become interested in said business as co-partners of the undersigned or if the business should become incorporated the undersigned will notify you promptly.

This is signed "G. E. Blizzard."

I put it to you as a fact, and ask you to affirm or deny the fact, that this was filed with the State Bank and Trust Company, West Columbia.

(Document handed to witness.)

(Witness confers with counsel.)

Mr. NEWTON. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Younger Newton Exhibit No. 1," appears on p. 2173.)

Mr. APPELL. I hand you a copy of the signature card referred to in the previous document, signed "G. E. Blizzard," "Younger"—and here it appears, Mr. Chairman, it is "Mc" and the last name is "N-e-w-t-o-n." It looks like "McNewton."

I hand you a copy of the signature card and ask you if that is your signature.

YOUNGER NEWTON EXHIBIT No. 1

INDIVIDUAL UNINCORPORATED OPERATING UNDER TRADE NAME
AUTHORITY TO OPEN DEPOSIT ACCOUNTDate May 3, 1965To State Bank & Trust
West Columbia

The undersigned desires to establish with you a deposit and checking account to be known as _____

Hantagos Element Works

and hereby certifies that said name is a trade name used in the conduct of an unincorporated business, owned entirely by the undersigned.

Checks and orders for the payment of money withdrawing funds from said account may be signed by:

Younger M. Newton OR J. E. Blizard

(Use blank spaces for names of those authorized to sign and state whether checks will bear one signature or will be signed and countersigned.)

Checks, drafts, notes, bills of exchange and orders for the payment of money may be endorsed by any of the above and deposited with you for the credit of said account. Such endorsements may be made in writing or by a stamp and without designation of the person endorsing.

The undersigned authorizes and requests you to pay and charge said account checks, obligations and orders for the payment of money drawn on or payable at, or which shall be paid or honored by your bank when so signed whether payable to the order of any of said signers or not, and further authorizes and requests you to receive deposits and conduct the said account in accordance with the instructions stated above, and stated on the authorized signature card filed with you by the undersigned.

If any other person become interested in said business as co-partners of the undersigned or if the business should become incorporated the undersigned will notify you promptly.

J. E. Blizard

Mr. Newton. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Younger Newton Exhibit No. 2" follows:)

YOUNGER NEWTON EXHIBIT No. 2

Heritage Garment Works # 1803-4875

JOINT ACCOUNT

STATE BANK AND TRUST CO.

The undersigned joint depositors hereby agree each with the other and with the above bank that all sums now on deposit heretofore or hereafter deposited by either or both of said joint depositors with said bank to their credit as such joint depositors with all accumulations thereon, are and shall be owned by them jointly, with right of survivorship and be subject to the check or receipt of either of them or the survivor of them and payment to or on the check of either or the survivor shall be valid and discharge said bank from liability. Each of the undersigned appoints the other attorney, with power to deposit in said joint account moneys of the other and for that purpose to endorse any check, draft, note or other instrument payable to the order of the other or both said joint depositors. Payment to or on check of the survivor shall be subject to the laws relating to inheritance and succession taxes and all rules and regulations made pursuant thereto. The rights or authority of the bank under this agreement shall not be changed or terminated by said depositors or either of them except by written notice to said bank which shall not affect transactions heretofore made. It is agreed that the clause on the reverse side is a part of this contract.

J. E. Blyjard
SIGNATURE DATE

2

Younger M. Newton
SIGNATURE DATE

1

PRINTER OF ELECTRIC CITY PRESS, CO., BIRMINGHAM, U. S.

Mr. APPELL. I hand you a copy of an imprinted check, "Heritage Garment Works," Route 1, Eastover, South Carolina, September 3, 1965, "pay to the order of Robert M. Shelton, \$100, One Hundred and No/100 Dollars," on the State Bank and Trust Company, West Columbia, South Carolina, signed "Younger M. Newton."

I ask you if you are the signer of that check.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "Younger Newton Exhibit No. 3" follows:)

YOUNGER NEWTON EXHIBIT No. 3

HERITAGE GARMENT WORKS
RT. 1
EASTOVER, S. C.

No. 139

Sept. 3rd 1965 \$100.00

PAY TO THE ORDER OF *Robert M. Shelton*

One Hundred dollars and no 1/100 DOLLARS

STATE BANK & TRUST CO.
WEST COLUMBIA, S. C.

Younger M. Newton

⑆0532⑉0743⑆ 1803 4875 ⑈

Mr. APPELL. Mr. Newton, for what purpose was that check drawn to the order of Robert M. Shelton?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Was this a commission payment to Robert M. Shelton on garments manufactured by the Heritage Garment Works?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Newton, the check which I exhibited to you was obtained as a result of a subpoena duces tecum served on The First National Bank of Tuscaloosa calling for the records of the Alabama Rescue Service, and this was an item of deposit to that account.

I put it to you as a fact, and ask you to affirm or deny the fact, that this was a commission payment to Robert M. Shelton.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Newton, the State Bank and Trust Company records contained copies of ledger cards in the name of the Heritage Garment Works, which records reflect that this account was opened on May 3, 1965, with a deposit of \$226.56. From the date of May 3, 1965, through and including September 30, 1965, there has been deposited to this account the sum of \$7,232.07.

I ask you if the income deposited, or the debits or deposits to this account were funds received for the sale of robes described in the subpoena?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Younger Newton Exhibit No. 4" and retained in committee files.)

Mr. APPELL. I hand you a copy of an order form on the letterhead of Heritage Garment Works, 522 Howard Street, Columbia, South Carolina, which is headed, "Please Send Orders To:" and I put it to you as a fact, and ask you to affirm or deny the fact, that this is the official order blank used for the purchase of robes and other items described on the blank.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Younger Newton Exhibit No. 5" and retained in committee files.)

Mr. APPELL. This order blank which was obtained from your residence by the committee's investigator at the time he served the subpoena shows satin robes, \$17; cotton robes, \$15; and the blood drop insignia at \$1 each.

With respect to the satin robes, who manufactures or makes the robes for the Heritage Garment Works?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. What is the actual cost to the Heritage Garment Works for the manufacture of the robes?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. To whom and in what amounts are commissions paid on the sale of robes?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. What is the profit made on the cotton robes which, according to the order blank, sell for \$15?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Who manufactures the cotton robes?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. To whom and in what amounts are commissions paid for the sale of cotton robes?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that, in addition to manufacturing robes for the members of the United Klans of America, you manufacture robes for Klan groups falling within the National Association of Knights of the Ku Klux Klans.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Newton, in February 1964, a klonvokation was held by the United Klans of America at the Dinkler-Tutwiler Hotel, Birmingham, Alabama. Did you attend that klonvokation?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I hand you a copy of a registration card executed at the hotel on February 8, 1964, containing the signature of Mr. and Mrs. Younger Newton. I ask you if you signed that registration card at the time you registered into the Dinkler-Tutwiler Hotel.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Younger Newton Exhibit No. 6" follows:)

YOUNGER NEWTON EXHIBIT No. 6

1003 NEWTON YOUNGER & WF 12-48 47850
NR 47850 H 47850

F-DA 2/8 COL S C

PLEASE CHECK YOUR BAGGAGE OR SEND SAME TO YOUR ROOM: OTHERWISE THE HOTEL COMPANY WILL NOT BE RESPONSIBLE FOR LOSS.

Dinkler-Tutwiler
DIRECTION
DINKLER HOTEL CORPORATION
"DISPENSERS OF TRUE SOUTHERN HOSPITALITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE.

Name *Mr & Mrs Younger Newton*
Street _____ City _____ State _____
Firm _____ City *Calhoun* State *GA*
Room No. *1003* Rate *14.00* SMTWTFSS

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were present at that klonvokation at the time Robert Thompson was elected the Imperial Klaliff; W. O. Perkins the Imperial Kligrapp; and Fredrick Smith, the Imperial Klabee.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Newton, I put it to you as a fact, and ask you to affirm or deny the fact, that in 1964 you were elected to the position of Grand Klaliff, or vice president, of the Realm of South Carolina.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the other grand officers elected at the same time were Robert E. Scoggin, Grand Dragon; James O. Davis, grand klokard; Reverend Wilburn Samuel Cox, grand kludd; Robert Nix, grand kli-grapp; Maddox as grand klabee; Bullock as grand kladd; Carlyle F. Lewis, Jr., grand klarogo; E. D. Huston, grand klexter; Steve Broadway, grand night-hawk; Theodore Boyce Spires, grand kleagle; and Wilburn E. Cox as klokann chief.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in speaking at rallies in South Carolina, along with Wilburn Samuel Cox, that the Klan of South Carolina takes the position that the trouble with the South today is the conspiracy between the Communists and the Catholic Church.

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

Mr. WELTNER. Mr. Newton, are you a member of the Ku Klux Klan?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Newton, would the records that have been called for production under that subpoena disclose the names of other members of the Ku Klux Klan, were they furnished to this committee as required by the subpoena?

Mr. NEWTON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. I have no further questions.

The CHAIRMAN. The witness is excused and discharged from his subpoena.

Call the next witness.

The committee will stand in recess for 2 minutes.

(Whereupon, at 10:40 a.m., the subcommittee recessed and reconvened at 10:43 a.m. Subcommittee members present at time of recess and when hearings resumed: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

Proceed, Mr. Manuel.

Mr. MANUEL. Mr. Chairman, the staff would like to call as the next witness Mr. William Aaron Daniel, Sr.

The CHAIRMAN. Please come forward.

Please raise your right hand, sir.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DANIEL. I do.

The CHAIRMAN. Proceed, Mr. Manuel.

**TESTIMONY OF WILLIAM AARON DANIEL, SR., ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

Mr. MANUEL. Mr. Daniel, would you please state your full name for the committee?

Mr. DANIEL. William Aaron Daniel, Sr.

Mr. MANUEL. Where do you reside?

Mr. DANIEL. 402 Lobelia Drive, Macon, Georgia.

Mr. MANUEL. What is your present occupation?

Mr. DANIEL. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Daniel, are you represented by counsel?

Mr. DANIEL. Yes, sir.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Daniel, I put it to you as a fact, and ask you to affirm or deny the fact, that you are self-employed as a house painter.

Mr. DANIEL. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Daniel, would you please give the committee a résumé of your educational background?

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. A little louder, Mr. Daniel.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, when and where were you born, sir?

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, are you currently a member of a Ku Klux Klan organization?

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, at this time I would like to state for the record the results of the committee investigation concerning this witness.

Committee investigation has established that Mr. Daniel was an active member of the Association of Georgia Klans in the early 1950's and was elected to the position of Imperial Kligrapp or secretary of the Association of Georgia Klans at the national klonvokation of that organization in Atlanta, Georgia, on June 20, 1954.

Mr. Chairman, this organization has been designated by the Attorney General pursuant to Executive Order 10450.

Further, in 1955, Mr. Daniel was one of the original incorporators of the U.S. Klans, Knights of the Ku Klux Klan, Inc., and soon became an officer in that organization.

In March of 1956, he was elected Imperial Kligrapp of the U.S. Klans, Knights of the Ku Klux Klan, Inc., and held this position until February 1961 when the United Klans of America, Inc., Knights of the Ku Klux Klan, was formed.

Mr. Daniel was also an original incorporator of this organization.

Mr. Daniel became the Imperial Kligrapp of this organization and held the office until July of 1961. Since that time he has been an active member and has been, and is now, exalted cyclops of Nathan Bedford Forrest Klavern No. 1 of the United Klans of America, Knights of the Ku Klux Klan. This Klavern, the N. B. Forrest No. 1, is located in the vicinity of Atlanta, Georgia.

Now, Mr. Daniel, I put it to you as a fact, and ask you to affirm or deny the fact, that the results of the investigation as outlined by me are correct.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, are you appearing this morning before the committee as a result of a subpoena served upon you at 5:45 p.m., on the 12th day of October 1965, by J. E. Dilbeck, deputy U.S. marshal?

Mr. CHALMERS. Mr. Chairman, as his counsel, I will stipulate that he is appearing as a result of that subpoena.

The CHAIRMAN. Proceed.

Mr. MANUEL. Mr. Daniel, paragraph 1 of that subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, the Georgia Rescue Service, State Men's Club, Nathan Bedford Forrest Klavern #1, Realm of Georgia, United Klans of America, Inc., in your possession, custody or control, or maintained by you or available to you as Exalted Cyclops, Nathan Bedford Forrest Klavern # 1, Realm of Georgia and one of the original incorporators of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. Daniel, I now request that you produce the books and documents described in paragraph 1 of your subpoena.

Mr. DANIEL. I respectfully decline to deliver to the committee any and all records as requested by this committee in subpoena dated October 12, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in their subpoena dated Octo-

ber 12, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, we have heretofore all along entered into the following stipulation: That the witness has been furnished with a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Is this stipulation now entered into?

Mr. CHALMERS. It is so stipulated.

The CHAIRMAN. Mr. Daniel, the Chair and the committee do not accept your reasons for failing to produce those documents. I now order and direct you to do so.

Mr. DANIEL. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, paragraph 2 of your subpoena requests you to bring:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Exalted Cyclops, Nathan Bedford Forrest Klavern #1, Realm of Georgia, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. Daniel, I now request that you turn over to the committee all books, records, and so forth, as called for in paragraph 2 of your subpoena.

Mr. DANIEL. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

The CHAIRMAN. The stipulation just made applies to this paragraph?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Daniel, the committee does not accept your reasons for refusing to produce the documents and I order and direct you to produce them.

Mr. DANIEL. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, where does the Nathan Bedford Forrest Klavern #1 hold its meetings?

Mr. DANIEL. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Daniel, I put it to you as a fact, and ask you to affirm or deny the fact, that the Nathan Bedford Forrest Klavern #1 now holds its meetings at 909-911 Stewart Avenue, Northwest, Atlanta, Georgia.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, I put it to you as a fact, and ask you to affirm or deny the fact, that the address that I just gave is also the

address of the State headquarters of the Realm of Georgia, United Klans of America.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, I will now show you a copy of a charter filed with the State of Georgia, Office of Secretary of State, dated the 24th day of October 1955, which lists the following persons as original petitioners and incorporators of an organization known as the U.S. Klans, Knights of the Ku Klux Klan, Inc.: E. L. Edwards, M. Wesley Morgan, and William A. Daniel, Sr., whose post office address shall be 1272 Lucille Avenue, Southwest, Atlanta, Georgia.

I show you a copy of this charter, Mr. Daniel, and ask you if you are the William Daniel so named in that charter.

(Document handed to witness.)

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "William Daniel Exhibit No. 1." This exhibit will be reproduced in a forthcoming report on Klan organizations.)

(At this point Mr. Weltner left the hearing room.)

Mr. MANUEL. Prior to the filing of this charter, Mr. Daniel, I put it to you as a fact, and ask you to affirm or deny the fact, that you were an officer in an organization called the Association of Georgia Klans.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Sir, did you know that on April 29, 1953, that organization was designated by the Attorney General under Executive Order 10450?

Mr. DANIEL. I respectfully declined to answer that question based upon the grounds previously stated.

Mr. MANUEL. After that date, the committee's information is that you were elected the Imperial Kligrapp of that organization on June 20, 1954. I put it to you as a fact, and ask you to affirm or deny the fact, that you were elected to that position on that date.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Weltner returned to the hearing room.)

Mr. MANUEL. In 1955 when you filed as an original incorporator of the U.S. Klans, was the Imperial Wizard Eldon L. Edwards aware of the fact that you had been an officer of that organization?

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, I show you now a copy of a charter filed with the Office of the Secretary of State of Georgia for an organization known as the "Invisible Empire, United Klans, Knights [of the] Ku Klux Klan of America, Inc.," dated the 21st day of February 1961.

In paragraph one of this charter are listed the following persons as original incorporators: Robert Day, of 4422 Gregory Road, Decatur, Georgia; George Sligh, of 246 Wayne Avenue, Jonesboro, Georgia; William A. Daniel, Sr., Post Office Box 455, Mableton, Georgia; and M. Wesley Morgan, Sr., 27 Gould Street, Southeast, Atlanta 15, Georgia.

I show you this copy of this charter, Mr. Daniel, and ask you whether you are the person so named as one of the original incorporators.

(Document handed to witness.)

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 2.")

Mr. MANUEL. Mr. Daniel, would you describe for the committee the circumstances surrounding the incorporation of this organization?

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, would you tell the committee approximately how many members of the U.S. Klans changed membership to the Invisible Empire, United Klans, Knights of the Ku Klux Klan, at the time of this incorporation?

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, I put it to you as a fact, and ask you to affirm or deny the fact, that approximately 95 to 97 percent of all former members of the U.S. Klans joined the United Klans, Knights of the Ku Klux Klan, in the year 1961.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, prior to the time of the incorporation of the Invisible Empire, United Klans, Knights of the Ku Klux Klan, was there any animosity between the new Grand Dragon Calvin Craig and the widow of Eldon Edwards, who was the Imperial Wizard of the U.S. Klans, Knights of the Ku Klux Klan?

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mrs. Edwards accused Mr. Craig of misappropriating Klan property.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, did you attend the national klonvokation of the United Klans of America held on September 5 and 6, 1964, at the Dinkler-Tutwiler Hotel in Birmingham, Alabama?

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you did attend that klonvokation and that you were one of the members of the nominating committee for officers elected at that time.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, the committee information is that at that klonvokation elected as Imperial Wizard was Robert Shelton; elected as Imperial Klokard was Robert Collins; elected as Imperial Kludd was Reverend George Dorsett; elected as Imperial Kladd was Robert Hudgins; elected as Imperial Klarogo was Walter Brown; and elected as Imperial Klexter was Robert Korman.

I put it to you as a fact, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Daniel, committee investigation has revealed that on September 8 and 9 of 1964, a person by the name of Johnny Lee Burnette, of 2529 22d Street, Hueytown, Alabama, was furnished four electric blasting caps by an exalted cyclops from the area of Marietta, Georgia. Were you the person who furnished these four electric blasting caps to Johnny Lee Burnette on September 8 and 9, 1964?

Mr. DANIEL. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

(At this point Mr. Weltner left the hearing room.)

The CHAIRMAN. The witness is excused and discharged from his subpoena.

Call your next witness.

Mr. MANUEL. I would like to call at this time, Mr. Chairman, Mr. George Sligh.

The CHAIRMAN. Will you raise your right hand, sir?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SLIGH. I do.

The CHAIRMAN. Proceed.

TESTIMONY OF GEORGE D. SLIGH, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. MANUEL. Mr. Sligh, will you please state your full name for the committee?

Mr. SLIGH. George Sligh.

Mr. MANUEL. Do you have a middle initial, sir?

Mr. SLIGH. George D.

Mr. MANUEL. Are you represented by counsel?

Mr. SLIGH. Yes, sir.

Mr. MANUEL. Will counsel please identify himself?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Sligh, when and where were you born?

Mr. SLIGH. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on January 26, 1902, in Paulding County, Georgia.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, where do you currently reside?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that you live at 246 Wayne Avenue, Jonesboro, Georgia.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, are you currently a member of a Ku Klux Klan organization?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that you are currently a member of Clayton County Klavern No. 52 located in Jonesboro, Georgia.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, how long have you been a member of various Ku Klux Klan organizations?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you have been a member of various Klan organizations for over 30 years.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, at this time, I would like to state that the committee investigation of this witness has established that in the early 1940's and early 1950's Mr. Sligh was an active member of the Association of Georgia Klans, an organization which has been designated by the Attorney General of the United States under Executive Order 10450; that during the period between 1955 and 1961 Mr. Sligh was an active member of the U.S. Klans, Knights of the Ku Klu Klan, Inc. During his time in the U.S. Klans, Mr. Sligh served as a Klavern officer, as a State officer, and in 1960 was appointed a member of the Imperial Klokann Committee.

He has attended numerous meetings of all types held by the U.S. Klans during the period 1955 to 1961. When the United Klans of America, Inc., Knights of the Ku Klux Klan, was formed in 1961, Mr. Sligh changed his affiliation to this group and became Imperial Klavrogo of the UKA in March 1961. In his capacity as an imperial officer he has attended numerous meetings in Georgia and other Southern States.

In 1963, Mr. Sligh served as a delegate of the United Klans of America to a meeting of the National Knights of the Ku Klux Klan, Inc.

During 1964, Mr. Sligh served as grand kludd of the Realm of Georgia, United Klans of America. At the present time he does not hold a State or imperial office, but is an active member of the Clayton Klavern No. 52 of the United Klans of America, located at Jonesboro, Georgia.

Further, Mr. Sligh has acted as exalted cyclops on special degree teams which initiate Klan members into the United Klans of America.

Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that results of the committee investigation are correct.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. MANUEL. Mr. Sligh, are you appearing before the committee this morning in response to a subpoena served upon you on the 11th day of October 1965, at 2 p.m., by Wallace E. Camp, deputy U.S. marshal?

Mr. CHALMERS. Mr. Chairman, it is so stipulated.

Mr. MANUEL. Mr. Sligh, the subpoena calls upon you to produce in paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Men's Club, Clayton County Klavern No. 52, Realm of Georgia, United Klans of America, Inc., also known as Clayton Civic Club, Inc., in your possession, custody or control, or maintained by you or available to you as former Grand Kludd, Realm of Georgia and member Clayton County Klavern No. 52, Realm of Georgia, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

At this time, Mr. Sligh, I request that you produce the books, records, and so forth, as outlined in paragraph 1 of your subpoena.

Mr. SLIGH. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for the information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents demanded by the committee in its subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, we have made the following stipulation in all previous instances: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Is that stipulation now agreed to?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Sligh, the committee does not accept your reasons for refusing to produce those documents.

I will now order and direct you to do so.

Mr. SLIGH. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, paragraph 2 of your subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity

as former Grand Kludd, member Clayton County Klavern #52, and Exalted Cyclops of the Degree Team for naturalization ceremonies of the United Klans of America, Inc. Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. SLIGH. I respectfully decline—

Mr. MANUEL. I now request that you produce those documents as outlined in paragraph 2 of your subpoena.

Mr. SLIGH. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

The CHAIRMAN. Is the stipulation previously made agreed to?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Sligh, the committee does not accept your reasons for refusing to produce those documents and I now order and direct you to do so.

Mr. SLIGH. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

(At this point Mr. Weltner returned to the hearing room.)

Mr. MANUEL. Mr. Sligh, have you ever received instruction from a person known to you to be a member of the United Klans of America in demolition, judo, or karate?

Mr. SLIGH. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that you have attended instructions in guerrilla warfare, instructions on sabotage, instructions on the assembling of the M-1 carbine and .45 caliber automatic pistols, instructions on making Molotov cocktails and making small bombs and booby traps with dynamite.

These instructions were given by members of the Clayton County Klavern No. 52. I put it to you as a fact, and ask you to affirm or deny the fact.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that the instructors at these demonstrations were Charles Malcolm Bartlett and Daniel Bruce, who are members of the Clayton County Klavern No. 52.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, have you ever participated as a Klansman in any acts of intimidation on persons, such as cross-burnings?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, have you ever purchased for members of your Klavern any tear gas pens?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Have you ever made the statement at a meeting of the Clayton County Klavern No. 52 that you had received \$72 with which to buy such pens?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously given.

Mr. MANUEL. Mr. Sligh, you have been identified as an exalted cyclops of a naturalization team within the Realm of Georgia, United Klans of America.

Would you please explain to the committee what your duties are as the exalted cyclops of that naturalization team?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. MANUEL. Mr. Sligh, did you act as an exalted cyclops of a Klavern supposedly set up in Lithonia, Georgia, for a CBS news special on the activities of the Ku Klux Klan?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that you did appear and presented yourself as an exalted cyclops of a Klavern at Lithonia, Georgia, which, in fact, was not true.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. And during that program, you read what you called the Klan oath to people who were supposed to be new inductees into the Klan.

I put it to you as a fact, and ask you to affirm or deny the fact, that the real Klan oath was not read and the persons to whom you read this material were Klan members in the first place.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that on October 17, 1964, at the farm of Robert L. Bing, who is the exalted cyclops of Clayton Klavern No. 52, you attended a demonstration with other members of the United Klans of America in which tactical problems and guerrilla warfare were given and also demonstrated were techniques in making Molotov cocktails, small bombs, and instructions in various weapons.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that on November 9, 1964, at a meeting of the Clayton County Klavern you were present when a military committee was set up.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that this military committee set up within Clayton County Klavern No. 52 was set up principally by Charles Bartlett and Daniel Bruce, whom I have previously identified.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that the Clayton County Klavern No. 52 is also known as the Clayton Civic Club.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that you are one of the principal speakers at many public rallies held by the United Klans of America, Realm of Georgia.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Buchanan left the hearing room.)

Mr. MANUEL. Mr. Sligh, with further reference to the CBS program which I have previously identified and in which you participated, I would like to show you two photographs supplied to the committee by the Columbia Broadcasting System, and ask you, sir, if you are the person shown in those photographs.

(Photographs handed to witness.)

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

(Photographs marked "George Sligh Exhibit No. 1" appear on p. 2189.)

Mr. MANUEL. Mr. Sligh, have you attended meetings as a representative of the United Klans of America to the National Knights of the Ku Klux Klan, headed by Mr. James Venable?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. When was the last time, sir, that you attended such a meeting?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Would you please explain to the committee the degree of cooperation that exists, if any, between the United Klans of America and the National Knights of the Ku Klux Klan?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Buchanan returned to the hearing room.)

Mr. MANUEL. Mr. Sligh, I put it to you as a fact, and ask you to affirm or deny the fact, that you have held the office of former special deputy sheriff in Clayton and Fulton Counties, Georgia.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Are you now, sir, a special deputy sheriff in Clayton and Fulton Counties?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Sligh, do you frequently carry firearms?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do you have a permit to carry such firearms?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. Mr. Sligh, a few weeks ago on the 19th day of October, following the first day of hearings by this committee, there was

GEORGE SLIGH EXHIBIT No. 1



George Sligh in Klan robes.

a denial by a gentleman who termed himself a member of the Clayton Civic Association in Jonesboro, Georgia, that that club or that organization was a Klan organization.

I would like to know whether or not the Clayton Civic Club, Inc., is a Klan front or another name for a Klavern of the United Klans of America.

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. WELTNER. Well, do you know whether or not it is a Klan organization?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Will you state that it is not a Klan organization?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. WELTNER. I, along with many other persons, saw the "CBS Reports" on the Ku Klux Klan that was broadcast, I think, on the 21st day of September of this year and a substantial portion of that report was comprised of an initiation ceremony. The principal figure in that ceremony was yourself.

I would simply like to ask you, if you are willing to proceed for several minutes on a nationwide television program and to conduct a Klan ritual in full view of television cameras, knowing that it is going to be broadcast throughout the country, why it is that you will not respond to questions put to you by a committee of the Congress of the United States?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. WELTNER. No further questions.

Mr. BUCHANAN. Is your refusal to answer based in effect upon the fact that you are ashamed you are a Klansman?

Mr. SLIGH. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. BUCHANAN. I am very interested in this matter of naturalization of people into the Klan. That sounds to me like you are bringing up some kind of citizenship in a realm in which bosses like you apparently have such great loyalty to that empire and that realm that they will not cooperate with this committee of the Congress of the United States and apparently put that loyalty above their loyalty to this country. Is that true?

Mr. SLIGH. I respectfully decline to answer that question for the reasons previously stated.

Mr. BUCHANAN. No further questions.

The CHAIRMAN. The witness is excused and discharged from his subpoena.

Call the next witness, Mr. Manuel.

Mr. MANUEL. Mr. Chairman, I would like to call as the next witness Mr. James Douglas Newberry.

Mr. WELTNER. Mr. Chairman, prior to the witness' attendance, in view of the question that has arisen as to whether or not the Clayton Civic Club, Inc., is a unit of the Ku Klux Klan, I would like to state that following the appearance of witnesses under subpoena I would

like to offer a copy of the corporate charter of that organization into the record at the appropriate time. (Introduced as Wesley Bailey Exhibit No. 1, in November 2, 1965, testimony. This exhibit will be reproduced in a forthcoming report on Klan organizations.)

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NEWBERRY. I do.

**TESTIMONY OF JAMES DOUGLAS NEWBERRY, ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

Mr. MANUEL. Mr. Newberry, would you state your full name for the record, please?

Mr. NEWBERRY. James Douglas Newberry.

Mr. MANUEL. Mr. Newberry, when and where were you born?

Mr. NEWBERRY. I respectfully decline to—

The CHAIRMAN. Identify the counsel.

Mr. NEWBERRY. —to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Newberry, are you represented by counsel?

Mr. NEWBERRY. Yes, sir.

Mr. MANUEL. Would counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Newberry, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on October 3, 1910, at Arlington, Georgia.

Mr. NEWBERRY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Newberry, where do you currently reside?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, I put it to you as a fact, and ask you to affirm or deny the fact, that you reside currently at 656 Mayland Avenue, Atlanta, Georgia.

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, what is your current occupation?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, I put it to you as a fact, and ask you to affirm or deny the fact, that you are currently self-employed in the heating business, located in Atlanta, Georgia.

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, what is the address of your heating business?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, I put it to you as a fact, and ask you to affirm or deny the fact, that your business is located at 629 Pearce Street, Atlanta, Georgia.

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, at this point, I would like to state that the committee investigation has established that Mr. Newberry is currently the grand klabee, or treasurer, of the Realm of Georgia, United Klans of America, and that he also holds the position of klabee of the Nathan Bedford Forrest Klavern No. 1, also located in Atlanta, Georgia.

Mr. Newberry, I put it to you as a fact, and ask you to affirm or deny, that the results of the committee investigation are correct.

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Weltner left the hearing room.)

Mr. MANUEL. Mr. Newberry, are you appearing before the committee today in response to a subpoena served upon you at 5:30 p.m. on the 11th day of October 1965, by Leonard Herndon, chief deputy marshal, Atlanta, Georgia?

Mr. CHALMERS. It is so stipulated, Mr. Chairman.

The CHAIRMAN. All right, proceed.

Mr. MANUEL. Mr. Newberry, you are required under paragraph 1 of your subpoena to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Men's Club, and Nathan Bedford Forrest Klavern #1, Realm of Georgia, in your possession, custody or control, or maintained by you or available to you as Grand Klabee (treasurer) and Klabee, Nathan Bedford Forrest Klavern #1, Realm of Georgia, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you now, sir, to produce those documents as requested and outlined in paragraph 1 of your subpoena.

Mr. NEWBERRY. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant or germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. CHALMERS. The same stipulation, Mr. Chairman.

The CHAIRMAN. I will read the stipulation: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; and (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

That stipulation is correct?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Newberry, the committee does not accept your reasons for refusing to produce those documents and I now order and direct you to do so.

Mr. NEWBERRY. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, paragraph 2 of your subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Klabee, Realm of Georgia, and Klabee, Nathan Bedford Forrest Klavern # 1, Realm of Georgia of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now request that you produce the books and records, and so forth, as outlined in paragraph 2 of your subpoena.

Mr. NEWBERRY. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

The CHAIRMAN. The same stipulation applies?

Mr. CHALMERS. Yes, sir; as to paragraph 2.

The CHAIRMAN. I order and direct you to produce these documents.

Mr. NEWBERRY. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, paragraph 3 of your subpoena requires you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, "U.S. Corporation Income Tax Return," and other Federal Income Tax Returns, corporate or otherwise, for the fiscal or calendar years 1961 through June 30, 1965, filed by you with the U.S. Treasury Department, Internal Revenue Service, or in your possession, custody or control, as Grand Klabee, Realm of Georgia, and being the Federal Income Tax returns for or of the organizations and affiliated organizations named in item numbered (1) above.

(At this point Mr. Weltner returned to the hearing room.)

Mr. MANUEL. I now request that you produce those documents, sir.

Mr. NEWBERRY. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

The CHAIRMAN. The same stipulation is made?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I order and direct you to produce those documents, Mr. Newberry.

Mr. NEWBERRY. I respectfully decline to produce the documents heretofore requested based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, paragraph 4 of your subpoena requires you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through

1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I now ask you to produce those documents.

Mr. NEWBERRY. I respectfully decline to deliver the documents heretofore requested based upon the grounds previously stated.

The CHARMAN. Mr. Newberry, I do not order you to produce your individual income tax returns because you have invoked the privileges of the fifth amendment.

I order you to produce the others because they were held by you in your representative capacity, meaning that as to the other items ordered to be produced the committee does not accept the reasons for not producing them, and is of the opinion that you are subjecting yourself to a contempt citation.

Proceed.

Mr. MANUEL. Mr. Newberry, the results of the committee investigation establish that you were first elected to the position of grand klabee or treasurer of the Realm of Georgia on March 22, 1964.

I put it to you as a fact, and ask you to affirm or deny the fact, that the committee investigation is correct.

Mr. NEWBERRY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Newberry, the committee investigation has established that you have been reelected to that position at every State klavokation of the Realm of Georgia since that date, that is, March 1964, the last election being held in July of 1965 in the city of Savannah.

I put it to you as a fact, and ask you to affirm or deny the fact, that you were last reelected to the position of grand klabee or treasurer in July 1965 at Savannah, Georgia.

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, the committee investigation has established that also elected in July 1965 at Savannah were Calvin Craig, to the position of Grand Dragon; Thomas Jenkins to the position of Grand Klaliff; John M. Parker to the position of grand kligrapp; Grady C. Little to the position of grand kladd; John L. Brock to the position of grand klokard; Charles Malcolm Bartlett to the position of grand klarogo; Cleveland Eugene Canup to the position of grand klexter; J. D. Johnson to the position of grand kludd; and David J. Mathis to the position of grand night-hawk.

I put it to you as a fact, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, would you please explain to the committee what your duties are as grand klabee or treasurer of the United Klans of America, Realm of Georgia?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, I put it to you as a fact, and ask you to affirm or deny the fact, that the Realm of Georgia maintains a bank

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, I put it to you as a fact, and ask you to affirm or deny the fact, that Klaverns make checks payable directly to Mr. Calvin F. Craig for taxes or dues.

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, to your certain knowledge, does Mr. Craig deposit all of those checks in the account of the State Men's Club?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, as treasurer of the Realm of Georgia, would you please explain to the committee if the Realm of Georgia incurs a tax liability by collecting dues from members in the Realm of Georgia?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, do you report your income—does the realm report its income from dues and revenues taken up at rallies to the Internal Revenue Service?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, as treasurer of the Realm of Georgia, would you please explain to the committee how the Realm of Georgia reports its income to the imperial office and to the Imperial Wizard, Robert Shelton?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. To your direct knowledge as treasurer of the Realm of Georgia, does Mr. Shelton report as income that amount of money taken in, in the Realm of Georgia?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Newberry, on what looks like 4-1-65, from the account of the State Men's Club, a check was made out to cash for the amount of \$1,642.11, signed by "C. F. Craig" and "Jim Newberry," endorsed on the reverse side by "J. D. Newberry."

I show you this check and ask you if you are the Jim Newberry who signed that check.

(Document handed to witness.)

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "James Newberry Exhibit No. 2" appears on p. 2197.)

Mr. MANUEL. Mr. Newberry, the committee has also subpoenaed from the First National Bank copies of your personal account, and I note, and I will show you, that the statement of that bank as of 4-21-65 shows that you deposited to your personal account a check in the amount of \$1,642.11, the same as the amount that I showed you from the State Men's Club.

Now, Mr. Newberry, I ask you if you deposited money to your personal account which was taken from the account of the State Men's

JAMES NEWBERRY EXHIBIT NO. 2

[illegible]

Club, which committee investigation has determined is the account of the Realm of Georgia for the United Klans of America.

(Document handed to witness.)

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "James Newberry Exhibit No. 3" follows:)

JAMES NEWBERRY EXHIBIT NO. 3

THE FIRST NATIONAL BANK OF ATLANTA

J. D. NEWBERRY
629 PEARCE ST. S. W.
ATLANTA 10 GA

STANDARD BANK
4-21-65
ACCOUNT NO. 12-396-6

LOWEST BALANCE	BALANCE LAST STATEMENT	NO.	CHECKS PAID AMOUNT	DEPOSITS AMOUNT	NO.	BALANCE THIS DATE
4800	7480	11	198964	2	205941	177
						14280

PLEASE USE YOUR ACCOUNT NUMBER ON ALL CHECKS AND DEPOSITS

DETAIL OF TRANSACTIONS APRIL 1965

26	4.61	26	11.42	29	10.00	1	792.00	1	1
5	275.00	7	185.00	8	38.40	17	33.40	9	
17	66.14	18	123.67	18	500.00	21	50	1.77	

Mr. MANUEL. Now, Mr. Newberry, for what purpose was this \$1,642.11 withdrawn from the account of the State Men's Club?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Does the Grand Dragon, Calvin F. Craig, have knowledge that you deposited this money in your personal account?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Does the general membership of the Realm of Georgia know that you deposited this money to your personal account?

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. Mr. Weltner?

Mr. WELTNER. I would like to ask the witness whether or not the deposit of \$1,642.11 to his personal account on the 21st day of April 1965 was the check drawn April 1, 1965, on the State Men's Club account at the First National Bank of Georgia for that same amount and countersigned by C. F. Craig and himself.

Mr. NEWBERRY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. No further questions.

The CHAIRMAN. The witness is excused and discharged from his subpoena.

Mr. NEWBERRY. Thank you, sir.

The CHAIRMAN. The committee will stand in recess until 2 o'clock.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 11:55 a.m., Monday, November 1, 1965, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—MONDAY, NOVEMBER 1, 1965

(The subcommittee reconvened at 2:15 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. Please call the next witness.

Mr. MANUEL. Mr. Chairman, at this time the staff would like to call John M. Parker.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PARKER. I do.

The CHAIRMAN. Proceed, Mr. Manuel.

TESTIMONY OF JOHN MILTON PARKER, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. MANUEL. Mr. Parker, would you please state your full name for the record?

Mr. PARKER. John Milton Parker.

Mr. MANUEL. Again, sir?

Mr. PARKER. John Milton Parker.

Mr. MANUEL. Mr. Parker, are you represented by counsel?

Mr. PARKER. Yes, sir.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Parker, when and where were you born?

Mr. PARKER. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 1, 5, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Parker, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on the 7th day of March 1940 in Marshall County, Alabama.

Mr. PARKER. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Parker, where do you reside?

Mr. PARKER. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Parker, I put it to you as a fact, and ask you to affirm or deny the fact, that you reside at 162 Prospect Street, in Roswell, Georgia.

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, where are you employed?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are currently employed as a mixer by the Precision Paint Corporation, 5275 Peachtree Industrial Boulevard, in Chamblee, Georgia.

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, are you a member of a Ku Klux Klan organization?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, at this point, I would like to read into the record that the committee investigation shows that Mr. Parker has held the following positions in the United Klans of America:

He has held the position of kligrapp, or secretary, of the Fiery Cross Klavern No. 113 during 1960 and 1961; he has been assistant State kligrapp, or secretary, of the United Klans of America during 1962; he has been a member of the State security patrol of the Realm of Georgia, United Klans of America, and in that organization he is commissioned as a second lieutenant, and that happened in 1963; he has held the position of klabee, or treasurer, of Province 10 of the Realm of Georgia, United Klans of America, during 1963; and he is the realm kligrapp and elected to that position during the latter part of 1964.

Mr. Parker, I ask you now whether the results of the committee investigation are correct.

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, are you appearing before the committee today in response to a subpoena served upon you at 5275 Peachtree Industrial Boulevard, Atlanta, Georgia, at 12:30 p.m. on the 11th day of October 1965, by Deputy Marshal Davis?

Mr. CHALMERS. I will stipulate, Mr. Chairman, he is here as a result of the subpoena served upon him.

The CHAIRMAN. And that the recitation—

Mr. CHALMERS. And that the return thereon speaks for itself; yes, sir.

Mr. MANUEL. Mr. Parker, paragraph 1 of that subpoena requires you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Men's Club, and Fiery Cross Klavern #113, Realm of Georgia, in your possession, custody or control, or maintained by you or available to you as Grand

Kligrapp (Secretary). Realm of Georgia and Kligrapp Fiery Cross Klavern #113. Realm of Georgia of the Invisible Empire. United Klans. Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America Inc., Knights of the Ku Klux Klan.

I ask you now, Mr. Parker, to produce those items listed in paragraph 1 of your subpoena.

(Witness confers with counsel.)

Mr. PARKER. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. We have heretofore entered into the following stipulation with respect to other witnesses whom you represent, Mr. Chalmers: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

I take it this stipulation applies here?

Mr. CHALMERS. It applies to this witness, yes, sir; and it is so stipulated.

The CHAIRMAN. Mr. Parker, the committee does not accept your reasons for refusing to produce documents mentioned, and I now order and direct you to do so.

Mr. PARKER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, paragraph 2 of your subpoena requires you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Kligrapp, Realm of Georgia and Kligrapp, Fiery Cross Klavern #113. Realm of Georgia of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask you, sir, to produce those documents as outlined in paragraph 2 of your subpoena.

Mr. PARKER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. CHALMERS. Our same stipulation with respect to paragraph 2, Mr. Chairman.

The CHAIRMAN. That is entered into?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Parker, for reasons previously stated, I now order and direct you to produce those documents.

Mr. PARKER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, paragraph 3 of your subpoena requires you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, "U.S. Corporation Income Tax Return," and other Federal Income Tax Returns, corporate or otherwise, for the fiscal or calendar years 1961 through June 30, 1965, filed by you with the U.S. Treasury Department, Internal Revenue Service, or in your possession, custody, or control, as Grand Kligrapp, Realm of Georgia, and being the Federal Income Tax returns for or of the organizations and affiliated organizations named in item numbered (1) above.

I now ask you to produce the documents called for in paragraph 3.

Mr. PARKER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. CHALMERS. The same stipulation, Mr. Chairman, with respect to paragraph 3.

The CHAIRMAN. I order and direct you to produce those documents.

Mr. PARKER. I respectfully decline to produce the documents demanded and requested by the committee based upon the grounds previously stated.

Mr. MANUEL. Paragraph 4 of your subpoena requires you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I now ask you to produce those documents.

Mr. PARKER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, the committee has information that you were reelected grand kligrapp of the Realm of Georgia in July 1965 at Savannah, Georgia. Are the results of the committee investigation correct?

Mr. PARKER. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. The committee investigation shows that also elected at that election in Savannah in July 1965 were Calvin F. Craig, to the position of Grand Dragon; Thomas Jenkins to the position of Grand Klaliff; James Douglas Newberry to the position of grand klabee; Grady C. Little to the position of grand kladd; John L. Brock to the position of grand klokard; Charles Malcolm Bartlett to the position of grand klarogo; Cleveland Eugene Canup to the position of grand klexter; J. D. Johnson to the position of grand kludd; and David J. Mathis to the position of grand night-hawk.

Are the results of the committee investigation correct?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, would you please tell the committee what your duties are as grand kligrapp of the Realm of Georgia?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, I would like to show you a copy of an application for citizenship in the Invisible Empire, Knights of the Ku Klux Klan, for the United Klans of America.

I ask you to examine both sides of this document and tell the committee whether you come into possession of each and every application that is submitted to the United Klans of America, Realm of Georgia, in your capacity as grand kligrapp or secretary.

(Document handed to witness.)

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Richard Constantineau Exhibit No. 3.")

Mr. MANUEL. Mr. Parker, the information contained on the reverse side of this application calls for the prospective candidate for citizenship in the Invisible Empire to fill out certain questions. He is to give three references, and list their addresses. He must list his occupation and he must tell by whom he is employed.

He must give his age, his weight, his height, and then the information contained on the reverse side states: "This applicant was elected to membership in this Order by: Klan No. (blank), Realm of (blank)," dated (blank) and "This applicant was duly naturalized by same," and the date is to be filled in.

The following statement is recorded:

"I certify the above to be correct, Signed (blank) Kligrapp," and then the Klan unit.

Mr. Parker, I ask you again, as grand kligrapp of the State of Georgia, do you fill out the bottom half of the application for citizenship in the United Klans on behalf of the Realm of Georgia?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, as kligrapp or secretary of the Realm of Georgia, could you tell the committee what investigation the State officers conduct when considering an applicant for membership in the Invisible Empire?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Is any investigation whatsoever conducted concerning the applicant's background with emphasis on any possible criminal record or any past act of violence?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, the committee investigation shows that you have held the office of grand kligrapp for the Realm of Georgia since March 1964. Who preceded you in that office, sir?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that one Tom Gentry preceded you as the grand kligrapp of the Realm of Georgia.

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, are you currently a member of the State security patrol of the Realm of Georgia, United Klans of America, and do you hold the commission of second lieutenant in that security patrol?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. As a member of the security patrol of the United Klans of America, would you please explain to the committee what your functions or duties are?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do members of the security patrol of the United Klans of America, Realm of Georgia, carry weapons in carrying out their assigned functions?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, under what State official does the security patrol of the Realm of Georgia take its orders and receive its assignments?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, I put it to you as a fact, and ask you to affirm or deny the fact, that you are currently the kligrapp or secretary of the Fiery Cross Klavern No. 113.

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Would you please tell the committee who is the exalted cyclops of that Klavern?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that the exalted cyclops of your Klavern, Fiery Cross No. 113, which operates out of the area of Doraville, Georgia, in De Kalb County, is Grady Calvin Little, Sr.

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, did you, as a Klansman, attend the Imperial Klonoconvocation of the United Klans of America held in September 1964 at the Dinkler-Tutwiler Hotel, in Birmingham, Alabama?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I would like to show you, sir, a copy of the records of the Dinkler-Tutwiler Hotel which states that John M. Parker, of 162 Prospect Street, Roswell, Georgia, occupied Room 1032 for the dates of September 4, 5, and 6, 1964, and I ask you if you are the John M. Parker who was in attendance.

(Document handed to witness.)

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "John Parker Exhibit No. 1" follows:)

JOHN PARKER EXHIBIT NO. 1

1032 PARKER JOHN M 5-20 65835		H 65835	
F-R 9-5 ROSWELL GA			
PLEASE CHECK YOUR BAGGAGE OR SEND SAME TO YOUR ROOM; OTHERWISE THE HOTEL COMPANY WILL NOT BE RESPONSIBLE FOR LOSS			
Dinkler-Tutwiler DIRECTION DINKLER HOTEL CORPORATION "DISPENSERS OF TRUE SOUTHERN HOSPITALITY"			
GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE			
Name	John M. Parker		
Street	City	State	
Firm	City	State	
Room No.	Rate	Clerk	
1032	520		XMTWTFs

Mr. MANUEL. Mr. Parker, the committee investigation reveals that during that time, that is, September 5 and 6, 1964, the following persons were elected to hold imperial offices in the United Klans of America:

Robert Shelton, the Imperial Wizard; Robert Collins, the Klokard; Reverend George Dorsett, the Kludd; Robert Hudgins, the Kladd; Walter Brown, the Klarogo; and Robert Korman, the Klexter.

Mr. Parker, is the result of the committee investigation correct?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parker, as grand kligrapp or secretary of the Realm of Georgia for the United Klans of America, would you tell the committee whether you have direct knowledge of a karate and judo and explosion-demolition instruction being given by Clayton Klavern No. 52, located in Jonesboro, Georgia?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Have you, as a member of the security patrol, or as a State officer of the United Klans of America, Realm of Georgia, attended any such classes?

Mr. PARKER. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. Mr. Parker, I notice you live in the city of Roswell, Georgia, in Fulton County. The result of the investigation of this committee is that you hold the office of kligrapp or secretary of the Fiery Cross Klavern No. 113. That Klavern meets in the city of Doraville, Georgia; doesn't it?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Doraville is in DeKalb County; is it not?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. I wonder, Mr. Parker, if you are also affiliated in any way with the Cherokee Klavern No. 92, which meets in Roswell, Georgia.

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Do you know the name of the Georgia cyclops of the Cherokee Klavern No. 92?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. As a result of our investigation, we found that sometime during the year 1965 the exalted cyclops of that chapter in Roswell was a man named Herman Wilson. Can you tell us whether or not he is still the exalted cyclops of the Cherokee Klavern No. 92 in Roswell, Georgia?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. No further questions.

Mr. BUCHANAN. Mr. Parker, as a citizen of the United States, it seems to me to be your clear duty to cooperate with this committee of the Congress to give whatever testimony and whatever records are in your power. You have a constitutional right to plead the fifth amendment in refusing to answer these questions if you feel they may tend to incriminate you, but given your total noncooperation with this committee, I want to ask you, sir, if as a citizen of this Invisible Empire your loyalty to that empire of the Ku Klux Klan is greater than your loyalty to the United States?

Mr. PARKER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. BUCHANAN. That is all.

The CHAIRMAN. The witness is excused and discharged from his subpoena.

Mr. CHALMERS. Thank you, Mr. Chairman.

The CHAIRMAN. The committee will stand in recess for 2 minutes.

(Whereupon, at 2:40 p.m., the subcommittee recessed and reconvened at 2:47 p.m., with the following members present at time of recess and when hearings resumed: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The hearing will resume.

Call your next witness.

Mr. MANUEL. I would like to call at this time, Mr. Chairman, Grady C. Little.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LITTLE. I do.

The CHAIRMAN. Proceed.

**TESTIMONY OF GRADY CALVIN LITTLE, SR., ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

Mr. MANUEL. Mr. Little, would you state your full name for the record, please?

Mr. LITTLE. Grady Calvin Little, Sr.

Mr. MANUEL. Are you represented by counsel, sir?

Mr. LITTLE. Yes, sir.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Little, where and when were your born, sir?

Mr. LITTLE. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Little, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on the 9th day of April 1918 in Cobb County, Georgia.

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Little, where do you currently reside?

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you currently reside at 4918 Glaze Drive, Doraville, Georgia.

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Little, where are you currently employed?

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you are currently employed as a foreman by the Precision Paint Company in Chamblee, Georgia.

Mr. LITTLE. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Mr. Little, are you currently a member of a Ku Klux Klan organization?

Mr. LITTLE. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, at this point, I would like to state for the record that the committee investigation shows that in July 1959 Mr. Little organized—

Mr. POOL. Are you stating this as a fact?

Mr. MANUEL. Yes, sir. I am stating it for the record.

Mr. POOL. But you didn't state it as a fact.

Mr. MANUEL. As a fact, the committee investigation reveals that Mr. Little organized a Klavern of the U.S. Klans, Knights of the Ku Klux Klan, Inc., in the Chamblee, Doraville, Georgia, area. This Klavern, which was known as the Fiery Cross Klavern No. 113, was headed by Mr. Little during the period 1959 to 1961.

In 1960, he was appointed a titan of Province No. 10 of the U.S. Klans, Knights of the Ku Klux Klan, Inc., and in the same year he was appointed a member of a statewide public relations committee for that organization.

During the period 1959 to 1961, Mr. Little, our investigation shows, was active in the U.S. Klans, Knights of the Ku Klux Klan, Inc., and was in attendance at numerous meetings, cross-burnings, motorcades, and other Klan activities.

Mr. Little, I would like to ask you now at this point whether so far what I have recited of the committee investigation results is correct?

Mr. LITTLE. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. I would like to state again for the record that our investigation further shows as a fact that when the United Klans of America, Inc., Knights of the Ku Klux Klan, was formed in February of 1961, Mr. Little brought his Klavern into this organization and continued to serve as exalted cyclops of Fiery Cross Klavern No. 113 of the United Klans of America.

In 1962, he was appointed a titan of the United Klans of America for Province 10. In 1964, he was elected grand kladd of the Realm of Georgia, United Klans of America, and was reelected to serve in this same position in 1965.

As a member of the State board of the Realm of Georgia, United Klans of America, Mr. Little has attended numerous State board meetings at which policy was formulated for the Realm of Georgia.

Mr. Little has also been active in organizing new Klaverns for the United Klans of America and has been instrumental in setting up at least three additional Klaverns in addition to Fiery Cross No. 113.

Mr. Little, I will ask you at this point whether the results of the committee investigation concerning your Klan background and activities are correct?

Mr. LITTLE. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Mr. Little, are you before the committee today in response to a subpoena served upon you on the 11th day of October 1965, at 12:36 p.m., at 5275 Peachtree Industrial Boulevard, Atlanta, Georgia, by Deputy Marshal Davis?

Mr. CHALMERS. Mr. Chairman, it is stipulated he is here as a result of that subpoena, and that the return thereon speaks for itself.

The CHAIRMAN. By that you mean you accept the validity of the marshal's return?

Mr. CHALMERS. Yes, sir.

May I approach the bench for a moment?

The CHAIRMAN. Yes.

(Discussion off the record.)

The CHAIRMAN. Proceed.

Mr. MANUEL. Mr. Little, paragraph 1 of that subpoena requires you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Men's Club, Province # 10, Realm (State) of Georgia, and Fiery Cross Klavern # 113, Realm of Georgia, in your possession, custody or control, or maintained by you or available to you as Grand Kladd, Titan Province 10, and Exalted Cyclops, Fiery Cross Klavern # 113, Realm of Georgia, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you now, sir, to produce those documents.

Mr. LITTLE. I respectfully decline to deliver to the committee any and all records as requested by this committee under the subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. CHALMERS. Our same stipulation, Mr. Chairman.

The CHAIRMAN. Mr. Chalmers, I will repeat the stipulation that we have consistently made with reference to other witnesses: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Is that the stipulation that is applicable here?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Little, the committee does not accept the grounds upon which you refuse to produce those documents, and I now order and direct you to produce them because it is the opinion of the committee that your failure to do so can subject you to contempt citation.

Mr. LITTLE. I respectfully—

The CHAIRMAN. Therefore, I order and direct you to produce those documents.

Mr. LITTLE. I respectfully decline to deliver the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Little, paragraph 2 of your subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capa-

as Grand Kladd, Titan Province 10, and Exalted Cyclops, Fiery Cross Klavern # 113, Realm of Georgia, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you now, sir, to produce the documents as called for in paragraph 2.

Mr. LITTLE. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. CHALMERS. Our same stipulation with respect to paragraph 2, sir.

The CHAIRMAN. The same stipulation will apply.

I order and direct you to produce those documents, Mr. Little.

Mr. LITTLE. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Little, I would like to show you a document headed "United Klans of America, Inc., P.O. Box 10753, Atlanta 10, Ga.," and dated March 30, 1964.

The document is from Calvin F. Craig, Grand Dragon, Realm of Georgia, which he sent to persons addressed as "Esteemed Klanspeople," and in which he identifies the persons elected to offices in the Realm of Georgia as of March 1964.

In this document it is revealed that Calvin F. Craig was elected the Grand Dragon; Tom Gentry was elected the grand kligrapp; James Douglas Newberry was elected the grand klabee; A. R. Collins was elected grand klarogo; Thomas Jenkins was elected Grand Kaliff; J. D. Johnson was elected the grand klokard; Grady C. Little elected the grand kladd; George D. Sligh elected grand kludd; A. M. Davis elected grand klexter; W. L. Brogdon elected the grand night-hawk.

Mr. Little, I show you this document and ask you if this is a copy of the document which was sent from the office of Calvin F. Craig, Grand Dragon, Realm of Georgia.

(Document handed to witness.)

Mr. LITTLE. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Grady Little Exhibit No. 1" appears on p. 2211.)

Mr. MANUEL. Are the persons identified by Mr. Craig as having been elected to the respective offices—are these identifications correct, sir?

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Little, the committee investigation has shown that the last election for State officers in the Realm of Georgia UKA was held at Savannah, Georgia, in July of 1965. The results of that election were that Calvin F. Craig remained Grand Dragon, or was re-elected to the position of Grand Dragon; Thomas Jenkins was re-elected to the position of Grand Kaliff; John M. Parker was elected to the position of grand kligrapp; James Douglas Newberry was reelected as grand klabee; Grady C. Little, yourself, was reelected to

GRADY LITTLE EXHIBIT No. 1

UNITED KLANS OF AMERICA, INC., P.O. Box 10763,
 KNIGHTS OF THE KU KLUX KLAN Atlanta 10, Ga.
 March 30, 1964

Esteemed Klanspeople:

WE WANT ALL OF THE MEMBERSHIP TO KNOW THAT WE HAD THE BEST STATE KLANOVATION THAT EVER HAS BEEN HELD IN MODERN TIMES - THE BANQUET WAS A 100% SUCCESS - THE MEETING ITSELF WAS A 100% SUCCESS - AND THE RALLY ON AMERICANISM AT HUNT PARK ON SUNDAY MARCH 22nd DREW MORE PEOPLE THAN MARTIN LUTHER KING'S MEETING SOME MONTHS PAST.

I WAS HIGHLY HONORED BY BEING CHOSEN YOUR GRAND DRAGON FOR ANOTHER TERM WITHOUT OPPOSITION AND I INTEND TO PROVE WORTHY OF THIS HIGH AND NOBLE SELECTION BY MAKING THIS, WITH YOUR HELP, ONE OF THE MOST ACTIVE AND WORTHWHILE OF ALL OF THE YEARS OF KLANSMANSHIP. WE HAVE GOT A FIGHT ON OUR HANDS AND NEARLY ALL UPHILL. WE WILL, WITH U. S. SENATOR RUSSELL'S DEDICATION TO OUR WAY OF LIFE, PLUS PUBLIC OPINION, WHICH IS SLOWLY BUT SURELY TURNING TO THE RIGHT WAY OF THINKING AND WITH GOD'S HELP WIN IN THIS GLORIOUS FIGHT FOR SEGREGATION AND CHRISTIANITY.

OH GOD GIVE US SERENITY TO ACCEPT WHAT CANNOT BE CHANGED, COURAGE TO CHANGE WHAT SHOULD BE CHANGED AND WISDOM TO DISTINGUISH THE ONE FROM THE OTHER.

WHAT THIS MEANS KLANSPeople IS THAT GOD GAVE US SEGREGATION AND CHRISTIANITY AND THAT NO MATTER HOW HARD THE COMMUNIST TRY TO DESTROY BOTH WE MUST STRIVE ALL THE HARDER TO PRESERVE OUR AMERICAN WAY OF LIFE. WE MUST HOLD AS MANY RALLIES AS POSSIBLE THIS YEAR AND HAVE ACTIVITIES TO EDUCATE THE PUBLIC. IN ORDER TO DO SO WE MUST HAVE THE USE OF PROPERTY BOTH INDOORS AND OUTDOORS, PREFERABLY ON SATURDAYS. WE MUST HAVE FROM THREE TO FOUR WEEKS' NOTICE AS TO WHEN WE CAN OBTAIN THE USE OF SAID PROPERTY AND THE EXACT LOCATION - HOW TO GET TO IT - SO WE CAN NOTIFY THE MEMBERSHIP THRU THE BULLETINS.

WE MUST ALSO SUPPORT THE HON. RICHARD B. RUSSELL, U. S. SENATOR OF GEORGIA AND AS A SUGGESTION THE KLIGRAPP COULD PURCHASE POSTAL CARDS AND GET THE MEMBERSHIP TO WRITE SOMETHING MAIN AND SIMPLE THAT THEY ARE OPPOSED TO THE CIVIL RIGHTS BILL AND SUPPORT HIM 100% IN HIS STAND. ALSO TELL THEM HOW URGENT IT IS FOR ALL OF THEM TO REGISTER TO VOTE AND ALL THAT HAVE NOT REGISTERED TO DO SO AT ONCE. IN CONCLUSION I AM LISTING BELOW THE GRAND OFFICERS OF THE STATE BOARD AND THEIR ADDRESSES:

GRAND DRAGON-----CALVIN P. CRAIG, 772 PEARCE ST., SW ATLANTA 10
 GRAND KLIGRAPP---TOM GENTRY, 855 OAKHILL AVE., SW ATLANTA 10
 GRAND KLABER-----J.D. NEWBERRY, 656 MAYLAND AVE., SW ATLANTA 10
 GRAND KLOGO-----A.R. Bob COLLINS, 1846 BOULDERVIEW DR SE ATLANTA
 GRAND KLABIFF---THOMAS JENKINS, 2744 ROCKBRIDGE RD., LITHONIA
 GRAND KLOKARD---J.D. JOHNSON, RT. 2, BOX 223-D LILBURN
 GRAND KLADD-----GRADY C. LITTLE, 4918 GLAZE DR., DONAVILLE
 GRAND KLUDD-----GEO. D. SLIGH, 246 WAYNE AVE., JONESBORO
 GRAND KLEKTER---A. M. DAVIS, P.O. BOX 32, JACKSON (and)
 GRAND NIGHT HAWK---W. L. BROGDON, 154 MARK AVE., MARIETTA, GA.

Sincerely,
 I T S U B

Yours for GOD and COUNTRY,

Calvin P. Craig,
 Grand Dragon - Realm of Georgia.

PC/TG-encls.

the position of grand kladd; John L. Brock was elected to the position of grand klokard; Charles Malcolm Bartlett was elected to the position of grand klarogo; Cleveland Eugene Canup was elected to the position of grand klexter; J. D. Johnson was elected to the position of grand kludd; and David Jack Mathis was elected to the position of grand night-hawk.

Mr. Little, I would like to ask you now if the results of the committee investigation as to the current officers of the Realm of Georgia, United Klans of America, are correct.

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Little, committee information is that you have been active in organizing new Klaverns of the United Klans of America. I would like to ask you if you have received any money as an organizer for the United Klans of America, Realm of Georgia.

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. What new Klaverns have you organized for the Realm of Georgia, United Klans of America?

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Little, have you participated in any acts of intimidation against any persons? Have you participated in any acts such as cross-burnings or other acts of intimidation against any persons whatsoever?

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Have you, as a Klansman, attended any classes at which karate, judo, and demolitions training were taught?

Mr. LITTLE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. Are there questions from the committee?

If not, the witness is excused and released from his subpoena.

Call your next witness.

Mr. MANUEL. Mr. Chairman, at this time the staff would like to call to the stand Mr. John L. Brock, Jr.

The CHAIRMAN. Raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROCK. I do.

TESTIMONY OF JOHN L. BROCK, JR., ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. MANUEL. Mr. Brock, would you state your full name for the record, please?

Mr. BROCK. John L. Brock.

The CHAIRMAN. Junior?

Mr. BROCK. Yes, sir.

Mr. MANUEL. Mr. Brock, are you represented by counsel?

Mr. BROCK. Yes, sir.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Brock, where and when were you born, sir?

Mr. BROCK. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Brock, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on August 10, 1925, at Rome, Georgia.

Mr. BROCK. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, where do you currently reside?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you reside at 3235 Canary Court, in Decatur, Georgia.

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. What was that address again?

Mr. MANUEL. 3235 Canary Court, Decatur, Georgia.

Mr. BROCK, where are you employed, sir?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are employed as a driver for the Complete Auto Transit Company in Doraville, Georgia.

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, do you currently hold a position in the United Klans of America, Realm of Georgia?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the committee investigation has shown, as a fact, that Mr. Brock is currently the grand klockard of the Realm of Georgia, United Klans of America, having been elected to this position at a State klonvokation held during December of 1964, and he was reelected to that position in July of 1965 at a State klonvokation held in Savannah, Georgia.

Mr. Brock, is the result of the committee's investigation with respect to your present office in the United Klans of America correct, sir?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, are you appearing here today in response to a subpoena served upon you at 2 p.m. on the 14th day of October 1965 by Deputy U.S. Marshal Camp?

Mr. CHALMERS. It is so stipulated, Mr. Chairman.

The CHAIRMAN. Proceed.

Mr. MANUEL. Mr. Brock, paragraph 1 of your subpoena requires you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Men's Club, and Confederate Klavern #2, Realm of Georgia, in your possession, custody or control, or maintained by you or available to you as Grand Klokard, Realm of Georgia and member of Confederate Klavern #2, Realm of Georgia, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you now, Mr. Brock, to produce those documents as called for in paragraph 1.

Mr. BROCK. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 14, 1965, for the information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by the House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Weltner left the hearing room.)

The CHAIRMAN. Mr. Chalmers, with respect to other witnesses, we made the following stipulation: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the representative capacity described in the subpoena.

This stipulation, I take it, applies to this witness?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Brock, the committee does not accept the grounds you urge as a basis for refusing to produce the documents mentioned.

I will therefore order and direct you to do so.

Mr. BROCK. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, paragraph 2 of your subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Klokard, Realm of Georgia, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask you to produce the documents as called for in paragraph 2 of your subpoena.

Mr. BROCK. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. CHALMERS. Our same stipulation with respect to paragraph 2, Mr. Chairman.

The CHAIRMAN. Thank you, sir.

For reasons previously indicated, I order and direct you to produce those documents.

Mr. BROCK. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, I put it to you as a fact, and ask you to affirm or deny the fact, that you first became a member of the Confederate Klavern No. 2 of the United Klans of America, Inc., in February 1962.

Mr. BROCK. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Brock, I would like to now show you a copy of a charter issued by the Office of Secretary of State of Georgia for an organization known as NACIREMA, INC. That is "American" spelled backwards.

I note on this charter that the original incorporators were C. J. Newborn, Box 38, Mableton, Georgia; Tom Gentry, Box 38, Mableton, Georgia; and R. H. Wynn, Box 38, Mableton, Georgia.

I hand you a copy of this charter, sir, and ask you if you were ever a member of an organization known as NACIREMA, INC.?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "John Brock Exhibit No. 1" and retained in committee files.)

Mr. MANUEL. Mr. Brock, did you know Clyde Newborn, Tom Gentry, and R. H. Wynn to be members of any Ku Klux Klan organization?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you knew Tom Gentry, listed hereon, as a member and an officer of the United Klans of America during the year 1964.

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, would you explain to the committee exactly what the organization NACIREMA is?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, at this point I would like to read into the record that the committee investigation has established that as of July 25, 1961, it was known that this organization, NACIREMA, was composed almost entirely of present and former Klansmen who joined

NACIREMA to get more violent action. Two leaders of this organization, who are William Anderson and William Crowe, conducted an explosive school at which instructions were given in the assembling and detonation of explosives and incendiary devices with the use of easy to obtain material.

(At this point Mr. Weltner returned to the hearing room.)

Mr. MANUEL. Mr. Brock, I will ask you, Is the result of the committee's investigation in that regard correct?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you also know Mr. William Anderson and Mr. William Crowe to be members of the United Klans of America?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Is the organization NACIREMA currently in existence?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, did you, as a member of the NACIREMA or as a member of the United Klans of America, attend any demolition exercises at which Mr. Crowe and Mr. Anderson were the instructors?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, do you have a criminal record, sir?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Were you ever arrested by the Atlanta Police Department for abandonment of minor dependents?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. On the 16th day of March 1963 were you arrested at 2666 Kelley Lake Road, outside of Atlanta, on the charge of maintaining a disorderly house?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, I should like to ask you whether the address 2666 Kelley Lake Road, Atlanta, Georgia, is, in fact, the address of a Klavern of the United Klans of America?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, I put it to you as a fact, and ask you to affirm or deny the fact, that the address 2666 Kelley Lake Road in DeKalb County, outside of Atlanta, Georgia, was the address of a Ku Klux Klan organization.

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, arrested at the same time you were by the DeKalb County Police Department in cooperation with the Atlanta Police Department were Mr. William Crowe, Mr. William Anderson, Mr. Robert Allison Day, and Mr. Billy Wilson.

Did you know these people at this time to be members of the United Klans of America, Realm of Georgia?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. What investigation did the Grand Dragon, Calvin Craig, make of this incident being that members of his organization were involved?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, as an officer of the United Klans of America, specifically the office of grand klockard, did you attend recent demonstrations in the area of Crawfordville, Georgia?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Brock, I would like to show you a newspaper report dated Tuesday, October 5, 1965, of the newspaper the *Washington Post*, which describes the arrest of Calvin Craig on the charge of assault on a Negro 17 years of age.

I would like to call your attention to the third paragraph of this report which reads:

While the Klansman tussled with the Negro, some 45 white spectators stood watching nearby. Some shouted to Craig: "Kill him, kill him." Police stood between the Negroes and the whites.

Mr. Brock, I show you this newspaper article and put it to you as a fact, and ask you to affirm or deny the fact, that you were the one who was shouting "kill him, kill him" to Mr. Craig.

(Document handed to witness.)

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "John Brock Exhibit No. 2" appears on pp. 2218 and 2219.)

Mr. MANUEL. Mr. Brock, I show you a photograph taken at a public rally of the United Klans of America, which was held on June 5, 1965, in Atlanta, Georgia. I ask you to look at this photograph and tell the committee whether you are the person pictured in the Klan robes in this photograph.

(Photograph handed to witness.)

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

(Photograph marked "John Brock Exhibit No. 3" appears on p. 2220.)

Mr. MANUEL. Mr. Brock, I show you another photograph in which you are pictured in Klan robes standing next to two persons whom I wish you would identify for the committee.

(Photograph handed to witness.)

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that the two gentlemen standing next to you are Colbert Raymond McGriff and Earl Holcombe.

JOHN BROCK EXHIBIT No. 2

A.6. Tuesday, Oct. 5, 1943 THE WASHINGTON POST



Ga. Klan Chief Accused Of Assault on Negro, 17

CRAWFORDVILLE, Ga., Oct. 5 (UPI)—Police arrested Georgia's top Ku Klux Klan leader yesterday and charged him with assault after he seized a Negro teenager, twisted his arm and hurled him against a car during a racial demonstration.

Calvin Craig, a crane operator and Grand Dragon of the Georgia Klan, posted \$100 bond on the charge and trial was set for Feb. 12. He charged his arrest was a political "frame-up" arranged by Gov. Carl E. Sanders.

While the Klansman tussled with the Negro, some 45 white spectators stood watching nearby. Some shouted to Craig: "Kill him, kill him." Police stood between the Negroes and the whites.

About 100 Negroes marching two miles from the Friendly Baptist Church to the courthouse later. There were no incidents.

Craig seized Frank Bates, 17, and slammed him against a State Highway patrol car after Bates and 11 other Negroes tried to lunge at a line of 20 State troopers on patrol.

JOHN BROCK EXHIBIT NO. 2—Continued

hauling white pupils to school.

Bates and a colleague, Alvin Harris, 17, also were arrested and charged with interfering with the operation of a school.

Craig insisted he grabbed Bates to prevent the Negro from striking a State trooper. "His hand was raised as if he were going to hit the officer," the Klansman said.

Negro children have tried to board the segregated white buses here each school day

since last Tuesday. Their demonstrations are aimed at protesting the closing of Taliaferro (Crawfordville) County's one white school to avoid desegregation.

The white children have been bussed to schools in nearby counties and Negro pupils have boycotted their own school to attend a "freedom school" sponsored by the "Southern Christian Leadership Conference.

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

(Photograph marked "John Brock Exhibit No. 4" appears on p. 2220.)

Mr. MANUEL. Did you ever know Mr. McGriff or Mr. Holcombe to be members of the United Klans of America, Realm of Georgia?

Mr. BROCK. I decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Did you ever know them to be leaders of an operation operating out of the area called Barnesville, called Vigilantes?

Mr. BROCK. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you ever know them to be members of an organization called the Black Shirts of the Ku Klux Klan operating out of the vicinity of Barnesville, Georgia?

Mr. BROCK. I respectfully decline to answer that question based upon grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

Mr. WELTNER. I have no questions, Mr. Chairman.

The CHAIRMAN. The witness is excused and released from his subpoena.

Call your next witness.

Mr. MANUEL. Mr. Chairman, I would like to call at this time Mr. William Crowe.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CROWE. I do.

The CHAIRMAN. Proceed.

JOHN BROCK EXHIBIT No. 3



Photograph taken at United Klans rally held June 5, 1965, at Atlanta, Ga. No. 1 identified as Robert L. Bing, No. 2 as John Brock.

JOHN BROCK EXHIBIT No. 4



Photograph taken at United Klans rally held June 5, 1965, at Atlanta, Ga. No. 1 identified as John Brock, No. 2 Colbert Raymond McGriff, and No. 3 Earl Holcombe.

**TESTIMONY OF WILLIAM B. CROWE, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. MANUEL. Mr. Crowe, would you please state your full name for the committee, sir?

Mr. CROWE. William B. Crowe.

The CHAIRMAN. Would you spell your last name?

Mr. CROWE. C-r-o-w-e.

Mr. POOL. Will you speak a little louder? I cannot hear you.

Mr. MANUEL. Mr. Crowe, are you represented today by counsel?

Mr. CROWE. Yes, sir.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Crowe, where and when were you born, sir?

Mr. CROWE. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Crowe, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on September 13, 1917, in Gwinnett County, Georgia.

Mr. CROWE. I respectfully decline to answer that question upon the grounds previously—based upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, where do you currently reside?

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you currently reside at 2044 Second Avenue, Decatur, Georgia.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, are you appearing today before the committee in response to a subpoena served upon you on the 13th day of October 1965, at 2044 Second Avenue, Decatur, Georgia, by Chief Deputy Marshal Leonard Herndon?

Mr. CHALMERS. It is so stipulated, Mr. Chairman.

The CHAIRMAN. Thank you.

Mr. MANUEL. Mr. Crowe, paragraph 1 of the subpoena served upon you requires you to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service and State Men's Club in your possession, custody or control, or maintained by you or available to you as a member, former member and/or demolition instructor of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I now ask you, sir, to produce those documents as outlined in paragraph 1.

Mr. CROWE. I respectfully decline to deliver to the committee any and all records as requested by the committee under subpoena dated

October 13, 1965, for the information is not relevant and germane to the subject under investigation and the same would not aid the Congress in consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 13, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, I offer the following stipulation: That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described within the subpoena.

Is that agreed to?

Mr. CHALMERS. It is so stipulated.

The CHAIRMAN. Mr. Crowe, the committee does not accept your reasons for failing to produce those documents, and I therefore order and direct you to produce them.

Mr. CROWE. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, paragraph 2 of your subpoena calls upon you to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of Nacirema, Inc., in your possession, custody or control or available to you as a member or former member of Nacirema, Inc.

Mr. CROWE. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

The CHAIRMAN. The same stipulation is agreed to?

Mr. CHALMERS. Yes, sir, Mr. Chairman.

The CHAIRMAN. Mr. Crowe, I order and direct you to produce the documents.

Mr. CROWE. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon grounds previously stated.

Mr. MANUEL. Mr. Crowe, do you have a criminal record with the Atlanta Police Department?

Mr. CROWE. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Sir, the records of the Atlanta Police Department reflect that as far back as the year 1941 you escaped from the city stockade; in 1942 you escaped from the city of Atlanta jail; in 1948 you were arrested on a charge of drunk and disorderly in a room

with a woman; on April 3, 1950, you were arrested for pointing a pistol at another and resisting arrest.

Is this true, sir?

Mr. CROWE. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, I put it to you as a fact, and ask you to affirm or deny the fact, that as of October 1961 you were both a member of the United Klans of America and a member of NACIREMA, INC.

Mr. CROWE. I respectfully decline to answer upon the ground previously stated.

Mr. MANUEL. Mr. Crowe, as a member of the Ku Klux Klan, have you ever given instructions to other Klansmen, including Grand Dragon Calvin Craig and Imperial Wizard Robert Shelton, on the use of explosives and demolition devices?

Mr. CROWE. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that in October 1961, on a farm belonging to a person named O. C. Mixon, outside of the city of Macon, Georgia, on Route 49, you acted as an instructor for a school for Klansmen in explosion and demolition.

Mr. CROWE. I respectfully decline to answer that question on the grounds previously stated.

Mr. MANUEL. Further, I put it to you as a fact that your instruction to Klansmen was given in six phases. The first phase was how to set up a booby trap using a mercury switch taken from an old washing machine, flashlight batteries, wire, and dynamite.

The demonstration was given showing how these materials can be rigged to explode whenever an object is moved.

Mr. CROWE. I respectfully decline—

The CHAIRMAN. Wait a minute.

Mr. MANUEL. I ask you to affirm or deny the fact that you did give that particular demonstration to Klansmen.

Mr. CROWE. I respectfully decline to answer the question based upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, I put it to you as a fact, and ask you to affirm or deny the fact, that throughout this demonstration you were assisted by William Anderson.

Mr. CROWE. I respectfully decline to answer the question based upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, I put it to you as a fact, and ask you to affirm or deny the fact, that you knew Mr. Anderson to be a member of the United Klans of America and a member of NACIREMA, INC.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, I put it to you as a fact, and ask you to affirm or deny the fact, that in the second phase of your demonstration you showed Klansmen how to rig various types of fuse caps to dynamite in preparation for exploding the dynamite.

In connection with this instruction, two types of fuses were demonstrated. One type was for the detonation of dynamite using an electrical spark obtained from a flashlight battery, and the other type

was a safety fuse which detonates the dynamite by lighting the fuse which in turn sets off the dynamite.

You demonstrated at this time various types of this fuse, showing various speeds at which they can be employed.

I put it to you as a fact, and ask you to affirm or deny the fact, that you did instruct Klansmen as I have explained in this second phase of the demonstration.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, I put it to you as a fact, and ask you to affirm or deny the fact, that in the third phase of your demonstration you showed Klansmen how to rig an explosive charge that will give 3 or 4 minutes' getaway time. In this demonstration you used a piece of board about 2 feet long and 6 inches wide. A stick of dynamite was taped to one end of the board with black friction tape. A short piece of the safety fuse was attached to the stick of dynamite, and immediately in front of this fuse was placed a wad of cotton impregnated with cigarette lighter fluid. A book of matches was then taped to the board in front of the cotton.

To explode the dynamite, you placed a lighted cigarette between the matches in the matchbook. When the cigarette burned down, it ignited the matches which, in turn, ignited the cotton, which, in turn, ignited the fuse.

In the demonstration which took place of this method, the explosion took place between 5 and 6 minutes after the lighted cigarette was placed.

Sir, I put it to you as a fact, and ask you to affirm or deny the fact, you did so instruct Klansmen.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds stated previously.

Mr. MANUEL. In the fourth phase of your demonstration, you showed how to start an intense fire in an automobile, house, or building. In demonstrating this method you took a small medicine bottle, about 2 inches long, which was about two-thirds full of a powdery substance. You stated to the Klansmen that this substance was powdered sugar and potassium chlorate.

You then took a gelatin capsule and placed therein one or two drops of sulphuric acid. You then instructed that this acid can be obtained from the battery of an automobile. You then dropped the gelatin capsule containing the acid into the medicine bottle and loosely replaced the lid.

About 5 minutes later the bottle burst into an intense blue flame which lasted for several minutes. During this demonstration you talked of the possibilities of using this type of device in department stores who integrate their eating facilities. You said that a man could easily try on a new suit and leave one of these devices in the pocket.

Is that a truthful recounting of what you said on that day, at that time?

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you so instruct persons whom you knew to be members of the United Klans of America as outlined in phase No. 4?

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. The fifth phase of your demonstration was how to destroy an automobile with simple, easy to obtain materials. For this demonstration you used a quart fruit jar, half filled with gasoline. You used adhesive tape to tape a 2-inch firecracker to the side of this jar, then lit the firecracker and threw the jar into the back seat of a junked automobile which was being used for this particular demonstration.

When the firecracker exploded, 2 or 3 seconds later, it burst the fruit jar and threw gasoline fumes over the inside of the automobile which, in turn, exploded.

This explosion and fire was so intense that you stated that no person would have a chance to escape from that automobile.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you did so instruct Klansmen as I have outlined in phase 5.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. The sixth phase of your explosion demonstration was how to explode a type of fertilizer used by farmers known as sodium phosphate.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you did so instruct Klansmen.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, I would like to ask you to explain to the committee exactly what was your purpose in instructing Klansmen in the use of dynamite and detonation devices?

Mr. CROWE. I respectfully decline to answer that question based upon the grounds stated previously.

Mr. MANUEL. I put it to you as a fact, sir, that you conducted this demonstration with the knowledge and consent of Grand Dragon Calvin F. Craig of the Realm of Georgia and the Imperial Wizard of the United Klans of America, Robert M. Shelton.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Crowe, I would like for you to explain to the committee exactly what your background is in explosion and demolition devices.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

Mr. POOL. In view of the facts that have been brought forth by Mr. Manuel, and they are very serious facts and very seriously attack your reputation, do you have anything to tell this committee in your own words?

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, I would like to ask the witness whether he and John Brock, the previous witness before the committee, William Anderson, Robert Allison Day, and Billy Wilson were arrested on the 16th day of March 1963 for operating a disorderly house at 2666 Kelley Lake Road, Atlanta, Georgia?



Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that that address, 2666 Kelley Lake Road, was the address of a Klavern of the United Klans of America, Inc.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you knew William Anderson, John Brock, and Robert Day, to be members of the United Klans of America at that time.

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

Mr. WELTNER. Mr. Crowe, I have heard the testimony by the investigator concerning the use of demolitions and explosions. I know of no reason that these instructions would be given other than the willful taking of human lives.

If there is some other reason, I would appreciate your telling me. I wonder if you would tell us, please, is there any reason for these instructions other than the taking of human lives?

Mr. CROWE. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. No further questions.

Mr. POOL. Mr. Chairman?

The CHAIRMAN. Mr. Pool.

Mr. POOL. Maybe you can answer that question before the television cameras, then.

That is not a question. I am just pointing that out.

The CHAIRMAN. The witness is excused and discharged from his subpena.

Call your next witness, Mr. Manuel.

Mr. MANUEL. Mr. Chairman, the staff would like to call next Mr. William Anderson.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ANDERSON. I do.

TESTIMONY OF WILLIAM ALLISON ANDERSON, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. MANUEL. Mr. Anderson, would you please state your full name for the committee?

Mr. ANDERSON. William Allison Anderson.

Mr. MANUEL. When and where were you born, sir?

Mr. ANDERSON. I respectfully decline to answer that question for the reason that I honestly feel my answer might incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Now, Mr. Anderson, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on August 10, 1916, in Atlanta, Georgia.

Mr. ANDERSON. I respectfully decline to answer that question based on the grounds previously stated.

Mr. MANUEL. Mr. Anderson, are you represented by counsel, sir?

Mr. ANDERSON. Yes.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Anderson, where do you currently reside?

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, I put it to you as a fact, and ask you to affirm or deny the fact, that you reside at 3444 Orchard Circle, in Decatur, Georgia.

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, I put it to you as a fact, and ask you to affirm or deny the fact, that as of October 1961, you were a member of the United Klans of America, Realm of Georgia, and also a member of an organization previously identified as NACIREMA, INC.

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, I put it to you as a fact, and ask you to affirm or deny the fact, that as of March 1964, you were a member of the Imperial Klokann Committee of an organization known as the Improved Order of U.S. Klans, Knights of the Ku Klux Klan, which has its headquarters in Lithonia, Georgia.

Mr. ANDERSON. I respectfully decline to answer the question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, are you appearing before the committee today in response to a subpoena served upon you at 10:15 o'clock p.m. on the 9th day of October 1965 by Marshal Herndon?

Mr. CHALMERS. Mr. Chairman, it is so stipulated with respect to the subpoena, that he is here as a result of being served with a subpoena.

The CHAIRMAN. Thank you.

Mr. MANUEL. Mr. Anderson, your subpoena in paragraph 1 calls upon you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service and State Men's Club, in your possession, custody or control, or maintained by you or available to you as a member, former member, or demolition instructor of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you now, sir, to produce the documents called for in paragraph 1 of your subpoena.

Mr. ANDERSON. I respectfully decline to deliver to the committee any and all records as requested by the committee under subpoena dated October 9, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid Congress in the consideration of any valid remedial legislation, nor is such in-

that within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 82nd Congress, by House Resolution 8, August 1, 1945.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in subpoena dated October 9, 1945, for the reason that I honestly feel that to do so might tend to diminish the right to privacy of my rights as guaranteed to me by Amendments 1, 2, 4 and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. CHALMERS, I offer to make the following stipulation: 1. That the witness has been furnished a copy of the chairman's opening statement of October 12, 1945, and that he is familiar with its contents; 2. That the directions in the subpoena to produce the documents called for are made to the witness in the official representative capacity bestowed in the subpoena.

Is the stipulation agreed to?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. ANDERSON, the committee does not agree that you have the right to refuse to produce these documents and I therefore order and direct you to produce them.

Mr. ANDERSON. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

The CHAIRMAN. I think that the record ought to show that the witness throughout has been replying, or refusing to reply, to the questions by invoking his privileges indicated by a slow reading to him, and repeating by him, from his counsel. I say that because it is obvious that the witness has very little education.

Mr. MANUEL. Mr. Anderson, paragraph 2 of your subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or former member of the Imperial Klodian Committee of the Improved Order of the U.S. Klans, Knights of the Ku Klux Klan which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask you, sir, to produce the documents as outlined in paragraph 2 of your subpoena.

Mr. ANDERSON. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

The CHAIRMAN. Is the stipulation previously made agreed to?

Mr. CHALMERS. With respect to paragraph 2; yes, sir.

The CHAIRMAN. Mr. Anderson, I order and direct you to produce those documents.

Mr. ANDERSON. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, paragraph 3 of your subpoena calls upon you to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and conduct of business and affairs of Nacirema, Inc., in your possession, custody or control or available to you as a member or former member of Nacirema, Inc.

I now ask you, sir, to produce the documents as called for in paragraph 3.

Mr. ANDERSON. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. CHALMERS. The same stipulation, Mr. Chairman.

The CHAIRMAN. The same stipulation is agreed to.

I, accordingly, order you, Mr. Anderson, to produce those documents.

Mr. ANDERSON. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, as a member of the United Klans of America, Inc., and also as a member of NACIREMA, INC., in the month of August 1961 did you assist Mr. William Crowe, the previous witness before this committee, in the instruction of explosives and demolition devices to persons known to you to be members of the United Klans of America?

Mr. ANDERSON. I respectfully—

Mr. MANUEL. If I said August, Mr. Chairman, I meant October.

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, I put it to you as a fact, and ask you to affirm or deny the fact, that this demolition school was held at a farm owned by Mr. O. C. Mixon, and the farm was known as Klansmen's Hill, and it was located approximately 9 miles northeast of Macon, Georgia, on Route 49.

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, what is your background in the instruction of demolition and explosive devices?

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, what was your purpose in instructing persons known to you to be members of the Ku Klux Klan organization in the art of demolition and explosion devices?

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, were you in the room when the previous witness before the committee, Mr. William Crowe, testified?

Mr. ANDERSON. I respectfully decline to answer that question based upon grounds previously stated.

The CHAIRMAN. Will counsel stipulate that Mr. Anderson was in the room and heard the questions propounded to the previous witness, William Crowe?

Mr. CHALMERS. Yes, sir.

Mr. MANUEL. Mr. Anderson, during the testimony of Mr. Crowe, I read into the record six separate and distinct phases of demolition and explosion instruction which committee investigation has established Mr. Crowe and yourself were the instructors for, for persons known to you to be members of the United Klans of America.

I wish to ask you at this point, Was the result of the committee investigation in this regard correct?

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, I put it to you as a fact, and ask you to affirm or deny the fact, that present at this instruction were the Grand Dragon of the Realm of Georgia, Calvin Craig, and the Imperial Wizard of the United Klans of America, Robert M. Shelton.

Mr. ANDERSON. I respectfully decline to answer the question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you instructed Klansmen as outlined in the committee investigation with the full knowledge and consent of Mr. Craig and Mr. Shelton.

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, a report of the DeKalb County Police Department indicates that on the 16th day of March 1963, you, Mr. John L. Brock, Mr. Robert Allison Day, and Mr. William Crowe and Mr. Billy Wilson were arrested at 2666 Kelley Lake Road, Atlanta, Georgia, on the charge of maintaining a disorderly house. Is the report of the DeKalb County Police Department correct, sir?

Mr. ANDERSON. I respectfully decline to answer the question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the address 2666 Kelley Lake Road, Atlanta, Georgia, is known to you to be a meeting place of a Klavern of the Ku Klux Klan organization.

Mr. ANDERSON. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Anderson, to your direct knowledge, has anyone ever been expelled, including yourself, from membership in the United Klans of America for participation in violent action?

Mr. ANDERSON. I respectfully decline to answer the question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

Mr. POOL. I have none.

Mr. WELTNER. No questions.

Mr. BUCHANAN. No questions, Mr. Chairman.

The CHAIRMAN. The witness is excused and released from his subpoena.

All exhibits referred to, identified, and submitted to the witnesses will, of course, as usual, be inserted in the record at the points where they were brought up.

The committee will stand in recess until 10 o'clock tomorrow morning.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 4:10 p.m., Monday, November 1, 1965, the subcommittee recessed, to reconvene at 10 a.m., Tuesday, November 2, 1965.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 2

TUESDAY, NOVEMBER 2, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.
PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:20 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Weltner, and Buchanan.

Committee member also present: Representative Richard H. Ichord, of Missouri.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will please come to order.

Mr. Manuel, please call your first witness.

Mr. MANUEL. Mr. Chairman, the staff would like to call, at this time, Leo Blackwell.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BLACKWELL. I do.

TESTIMONY OF LEO BLACKWELL

Mr. MANUEL. Would you state your full name for the record, please?

Mr. BLACKWELL. Leo Blackwell.

Mr. MANUEL. What is your occupation?

Mr. BLACKWELL. Chief of police, Griffin, Georgia.

Mr. MANUEL. Would you give the committee the date and place of your birth, sir?

Mr. BLACKWELL. I was born in Marietta, Georgia; February 3, 1912.

Mr. MANUEL. How long have you been chief of police of Griffin, Georgia?

Mr. BLACKWELL. Fifteen years.

Mr. MANUEL. Would you give the committee a brief résumé of your training as a police officer?

Mr. BLACKWELL. To begin with, I took a fingerprint-photograph course through the Institute of Applied Science. Then I graduated from the FBI National Academy in 1944. I have been in several service schools in Athens, Georgia, since.

Mr. MANUEL. How large is the police force in Griffin, Georgia, sir?

Mr. BLACKWELL. We have 50 members.

Mr. MANUEL. Is your police force integrated? Do you have members of your force who are Negroes?

Mr. BLACKWELL. We have three; yes, sir.

Mr. MANUEL. Do they receive the same training and same pay as the white members in similar positions?

Mr. BLACKWELL. They do; yes, sir.

Mr. MANUEL. Chief Griffin, would you please tell the committee what contact or what investigation your department has made on Ku Klux Klan groups and members prior to April of 1964?

Mr. BLACKWELL. Well, we had Ku Klux Klan men and also Negroes demonstrating in Griffin at the same time.

Mr. MANUEL. Prior to that demonstration, would you tell the committee what the activity of the Ku Klux Klan was in Griffin, Georgia, as your department knows it?

(At this point Representative Pool entered the hearing room.)

Mr. BLACKWELL. Up until that time I didn't know very much about the Klan. I knew that they had a Klavern there in Griffin. I knew where they met. I knew four or five members, but as to anything about their meetings and so on, I didn't know that.

Mr. MANUEL. Prior to April of 1964, very briefly, would you tell the committee what the activities of these known Ku Klux Klan members were?

Mr. BLACKWELL. Well, the one I knew the best worked at a meat packing place and then his father was a night watchman at the Spalding Junior High School.

Then one other member I knew lived at Meansville, Georgia. He was a truck driver. The fourth member, I really don't know what he did.

Mr. MANUEL. These are the leaders that you are talking about, sir?

Mr. BLACKWELL. They were the ones that I knew best; yes, sir.

Mr. MANUEL. Is Griffin, Georgia, located in Spalding County, Georgia?

Mr. BLACKWELL. Yes.

Mr. MANUEL. Did you know the name of the Ku Klux Klan group that was operated in Griffin, Georgia?

Mr. BLACKWELL. I didn't know at that time. I found out since what it was.

Mr. MANUEL. What was the name of the Ku Klux Klan group in Griffin?

Mr. BLACKWELL. It is Ku Klux Klan—I believe it is Number 25.

Mr. MANUEL. Was that Spalding County Unit No. 25?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Did you know this unit to be part of the United Klans of America?

Mr. BLACKWELL. I didn't know for sure. I found out since that it was.

Mr. MANUEL. You found out subsequent to April of 1964?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. In April of 1964, was Griffin, Georgia, the site of some civil rights demonstrations?

Mr. BLACKWELL. It was; yes, sir.

Mr. MANUEL. Would you please explain to the committee the activity that took place in Griffin, Georgia, at that time?

Mr. BLACKWELL. On April 24, 1964, at about 2 o'clock in the afternoon, my office received a call that somebody was burning a cross in front of the Cleanwell Pressing Club, which is a Negro establishment, owned and operated by two brothers.

The CHAIRMAN. What were the names of the two brothers?

Mr. BLACKWELL. Raymond and Otis Head.

Mr. MANUEL. Were the two Head brothers Negroes?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Proceed.

Mr. BLACKWELL. One of my detectives and I got in a car and started over there. We went about two blocks out of the way, because we got the wrong location to begin with, and by the time we got back to this Cleanwell establishment, the fire department had already gotten to the establishment and put out the cross. It was still standing in the street, but it had been extinguished.

Another captain, one of my captains, and his partner had arrived at the scene before we did, and he had found out from a witness the tag number of the automobile involved.

The CHAIRMAN. Would you put the microphone a little closer to you, Chief?

Mr. BLACKWELL. Yes, sir.

We immediately broadcast a notice to all the other cars to be on the lookout for this car. We gave the tag number and description and so on.

In the meantime, we found out there was a second car involved. At that particular time we didn't know the second car was involved.

After about 30 minutes searching for these two cars, we found them both parked in front of the Newton Coal and Lumber Company, which is across the street from the Klan headquarters and a half block north. From standing on the ground, we could see in the cars and see what we thought was a Thompson submachine gun.

I stationed a lieutenant with these two cars and told him not to let anybody bother them. I and two other captains went across the street to the Klan's headquarters and went up. It was upstairs, up over a dry goods store.

When we got to the head of the stairs, we saw a man run in a restroom and one of my captains went in the restroom behind him. From a description that we had received at the scene, we arrested him.

Mr. MANUEL. Who was that man?

Mr. BLACKWELL. That was a man named Mr. McGriff.

Mr. MANUEL. What is his first name, his full name?

Mr. BLACKWELL. Colbert Raymond McGriff.

Mr. MANUEL. At this point, Chief, did you know Mr. McGriff to be a member of the local Ku Klux Klan unit in Griffin?

Mr. BLACKWELL. No, sir. I didn't know him at all at that time.

Mr. MANUEL. He was a stranger to you?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. But he was at the Ku Klux Klan meeting hall?

Mr. BLACKWELL. Yes; he was at the meeting hall.

Mr. MANUEL. Proceed with the incident.

Mr. BLACKWELL. From a description of the second party, we arrested a Mr. Oliver Curtis Sanders.

Mr. MANUEL. Did you know Mr. Sanders to be a member of the local Ku Klux Klan unit?

Mr. BLACKWELL. No, sir. I didn't know him at all.

Mr. MANUEL. All right.

Mr. BLACKWELL. Then we went back downstairs to—we placed these two men under arrest—we went back downstairs and over to the automobile. I sent one of my captains over to get a search warrant, or two search warrants for these automobiles. In the meantime, we called a wrecker and had them impounded.

We carried the automobiles to the police department and they were locked so we got a locksmith and told him to make a key where we could get into the cars. When we did get into the cars—

Mr. MANUEL. These were the cars in which you had observed what looked like, to you, a submachine gun?

Mr. BLACKWELL. Yes, sir. When we got into the cars we found all this arsenal of guns and so on. There was some Ku Klux Klan robes and there was a briefcase, I believe, with some of their records.

Mr. MANUEL. Whom did the briefcase belong to?

Mr. BLACKWELL. It belonged to Mr. McGriff.

Mr. MANUEL. What did the briefcase contain?

Mr. BLACKWELL. I didn't examine it too close. I remember one place in there he had had authority to establish or set up a Klavern in Dothan, Alabama, I believe. It has a list of some people there who had made applications to join the Klan.

Mr. MANUEL. Did the material contained in the briefcase give Mr. McGriff the power to be an organizer for the United Klans of America?

Mr. BLACKWELL. It did; yes, sir.

We placed these men in jail and charged them with disorderly conduct because our statute says anything that is detrimental to the morals, safety, and welfare of our people does constitute disorderly conduct.

Mr. MANUEL. Chief, do your records reflect who were the owners of the cars from which you took the arms?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Would you please give that information to the committee?

Mr. BLACKWELL. A 1956 Chevrolet, bearing Georgia license 1-3055, belonged to Mr. Bayne.

Mr. MANUEL. Give his full name.

Mr. BLACKWELL. Allen Lee Bayne.

Mr. MANUEL. At that time did you know Mr. Bayne to be a member of the local Griffin Unit?

Mr. BLACKWELL. No, sir.

Mr. MANUEL. Proceed.

Mr. BLACKWELL. The second automobile belonged to a Mr. Carlyle, Mr. Thomas Royce Carlyle.

Mr. MANUEL. Did you know Mr. Carlyle to be a member of the local Griffin Unit?

Mr. BLACKWELL. No, sir.

The CHAIRMAN. As to the first two people you referred to previously, you said you didn't even know them at all?

Mr. BLACKWELL. No, sir.

The CHAIRMAN. How about these two? Did you know them individually, or did you just not know them as members of the Klan?

Mr. BLACKWELL. I didn't know them at all. They didn't live in Griffin.

The CHAIRMAN. They did not live in Griffin?

Mr. BLACKWELL. No, sir.

Mr. MANUEL. This was prior to the arrest, Mr. Chairman.

The CHAIRMAN. All right.

Mr. MANUEL. Was there another person arrested at that time, Chief?

Mr. BLACKWELL. No, sir.

Mr. MANUEL. I believe you have given the names of four. You have said so far McGriff, Bayne, Carlyle, and Sanders. Was there another?

Mr. BLACKWELL. John Max Mitchell.

Mr. MANUEL. Did you know John Max Mitchell to be a member of the Klan group from Griffin, Georgia?

Mr. BLACKWELL. No, sir.

The CHAIRMAN. Again, do you mean you didn't know him at all?

Mr. BLACKWELL. I didn't know him at all; no, sir.

Mr. MANUEL. That is prior to the arrest.

Chief Blackwell, could you give the committee a brief description of the activities of these people prior to their arrest, what they did?

Mr. BLACKWELL. Well, we don't know except, when they were tried, one man—Mr. Mitchell—wanted to make a sworn statement. Of course, when he wished to make a sworn statement, that threw him open for cross-examination. In the questioning by the city recorder, we found out these men had spent the night previously at his place in a county below us, Lamar County.

Mr. MANUEL. Is that in the vicinity of Barnesville?

Mr. BLACKWELL. Yes. Barnesville is the county seat of Lamar County. They got up that day and came to Griffin and ate lunch on the way up there, and got into Griffin 30 or 40 minutes before this thing happened. Like I say, none of us knew them. We didn't know these people.

The CHAIRMAN. Chief, you said that an individual you named wanted to make a sworn statement and that threw him open to cross-examination. In other words, having volunteered the statement, then you could cross-examine him to find out the facts?

Mr. BLACKWELL. Yes, sir; that is right.

Mr. MANUEL. Chief, at the time of these five persons being arrested, did you identify them as members of the Ku Klux Klan?

Mr. BLACKWELL. We did, by their paraphernalia in the car.

Mr. MANUEL. And this photograph which you have provided to the committee shows that in the car there was a sign stating "Spalding Co. Klan No. 25, K.K.K.K."; is that correct?

Mr. BLACKWELL. Yes, sir; that was found in one of the cars.

(Photograph marked "Leo Blackwell Exhibit No. 1." This exhibit will be reproduced in a forthcoming report in Klan organizations.)

Mr. MANUEL. Would you give the committee a full description, as your records reflect, of the arms that were taken from the cars belonging to Mr. Bayne and Mr. Carlyle?

Mr. BLACKWELL. There were three .45 caliber guns similar to a Thompson submachine gun, only it won't shoot automatic fire. It shoots single fire. It is a replica of a Thompson submachine gun. There were three of those. Each one had three clips taped together. Each clip held 50 rounds. They were taped together so that when one was shot out, he could eject it, turn it over and put it back in the gun and shoot 50 more.

Mr. MANUEL. So each submachine gun was capable of shooting 150 rounds single action?

Mr. BLACKWELL. Yes, sir.

There was one German-made rifle, a .30 caliber rifle, with almost a full case of ammunition.

There were two English .38 caliber pistols. That is the type that breaks down from the top.

There were two Smith & Wesson pistols, one with a 4-inch barrel and the other with a 2-inch barrel.

There was one Army Colt .45 automatic pistol.

There was one Harrington & Richardson .22 caliber pistol.

One .357 Magnum made on the old frontier style.

Mr. POOL. The 2-inch revolver was a .38?

Mr. BLACKWELL. Yes, sir; in this instance it was.

There were several hundred rounds of ammunition. There were two little, cheap, handy talkie radio sets, little cheap radios that one could walkie-talk to the other one, like our radio.

There were several Klan robes. I don't remember, but there were four or five robes in those two cars. I have a picture of them. There were two signs bearing what you just mentioned, two KKK signs. Spalding County No. 25, one in each car.

There was a little, small black case of papers that belonged to Mr. McGriff. That was about the extent.

Mr. MANUEL. Did your investigation reveal that any of the five persons arrested used these guns to intimidate any individual?

Mr. BLACKWELL. From witnesses at the scene, McGriff sat in the back seat of the first car with one of these guns in his lap and pointed it.

Mr. MANUEL. Which gun did he have?

Mr. BLACKWELL. He had one of these .45 guns made like a submachine gun.

Mr. MANUEL. So actually it looked like a submachine gun?

Mr. BLACKWELL. It looked like a submachine gun.

Mr. MANUEL. And fully operated?

Mr. BLACKWELL. He held this gun on some people in front of the Cleanwell Pressing Club while some other people got out of the car and set up the cross, pouring gasoline or spirits on them and setting it afire, according to the witnesses.

Mr. MANUEL. Who were the two men who set up the cross and set fire to the cross?

Mr. BLACKWELL. Mr. Bayne was the driver of the car. He and Mr. Sanders set the cross up. Mr. McGriff sat in the back seat and kept these people covered with a gun. Mr. Carlyle and Mr. Mitchell were in the second car, the car behind the first car, keeping anybody from getting up close to them. They fled the scene immediately after they fired the cross.

Mr. MANUEL. Chief, did your investigation reveal why these Klansmen picked the Cleanwell Pressing Club as a site to burn a cross at?

Mr. BLACKWELL. We don't know for sure. We think probably it was done because these two brothers, Raymond and Otis Head, are members of a biracial committee there in Griffin and they had been in meetings with white people. If that wasn't the reason, then we don't know why.

Mr. MANUEL. Would you please give the committee a brief description of the picketing that was going on in Griffin at the time? Were there Negroes involved in picketing various business establishments at that time in Griffin, Georgia?

Mr. BLACKWELL. The first picketing we had was a group of Negro boys and girls. They must have been the age of 17, 18, or 19 years old. They were picketing two local chains, five-and-ten-cent stores, because their lunchrooms were not integrated. They picketed, I would say, 2 or 3 weeks, just maybe a couple of hours at a time, and skip a couple of days and come back and picket again. Then the Klansmen began to picket Raymond Head's place, this Cleanwell Pressing Club.

Mr. MANUEL. How many Klansmen were involved in the picketing?

Mr. BLACKWELL. I don't believe there was ever over four at a time.

Mr. MANUEL. At the time the picketing first started, were the Klansmen involved in this action members of the local Griffin Unit?

Mr. BLACKWELL. Yes, sir; the ones that did the picketing were local. We knew those.

Mr. MANUEL. Likewise, were the Negroes involved in the picketing of the several business establishments—did your investigation determine that they were local persons from Griffin, Georgia?

Mr. BLACKWELL. Yes; they were local people.

Then it reached the point where the Klan and the Negroes were both picketing. In the meantime, these two stores did integrate their lunch counters. Then the Klan began picketing the stores because they had integrated their lunch counters. We had Klansmen and Negroes picketing at the same time, and in some instances I suppose it was an auxiliary of the Klan, women picketing with the men.

Mr. MANUEL. At this time, Chief, did your department take photographs of both the Negro demonstrators and the Klan demonstrators?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Would you please exhibit them now to the committee?

Mr. BLACKWELL. Yes, sir.

(Photographs marked "Leo Blackwell Exhibit No. 2," and retained in committee files.)

Mr. BLACKWELL. I don't have but one picture of the Klan. I can identify three men in that picture. That one was made in front of the Cleanwell Pressing Club.

Mr. MANUEL. And the Cleanwell Pressing Club was the site of the cross-burning?

Mr. BLACKWELL. Yes, sir.

These are pictures of Negroes picketing the two local establishments.

Mr. MANUEL. What precautions did your department take at the time of the initial picketing to see that there was no violence between the Klan group and the Negro group?

Mr. BLACKWELL. I stationed two men at each end. They walked, I would say 100 yards and would turn around and come back. I stationed two men at each end to see that nobody bothered them and to see that they bothered nobody. We stayed with them as long as they picketed.

Mr. MANUEL. How long had the picketing been going on before the arrest of these five individuals whom you have described?

Mr. BLACKWELL. Do you mean that day?

Mr. MANUEL. In a period of time. In the month of April.

Mr. BLACKWELL. I would say they had been walking picket for 3 or 4 months, something like that, just occasionally. Not too often: just occasionally.

Mr. MANUEL. During that time, did your department have any indication that violence would take place?

Mr. BLACKWELL. Well, we didn't know. I sent these men over there to stay with them just in case they did. We didn't have any idea anything was going to happen, because up until then it had always been peaceful.

Mr. MANUEL. The trouble that did occur was because of Klansmen who came into Griffin from outside the Griffin area; is that correct?

Mr. BLACKWELL. Yes, sir; that is correct.

Mr. MANUEL. The day on which these people were arrested was a Saturday; is that correct?

Mr. BLACKWELL. Saturday afternoon; yes.

Mr. MAUEL. That night, did the prisoners receive any visitors?

Mr. BLACKWELL. Yes, sir. There was three people that came down and visited them. A Mr. Bing.

Mr. MANUEL. Robert L. Bing?

Mr. BLACKWELL. I don't know. I don't remember his name. I just remember it was Bing. And Mr. Craig and Mr. Bailey.

Mr. MANUEL. At the time Mr. Craig visited the jail, did you know him to be the Grand Dragon of the State of Georgia for the United Klans of America?

Mr. BLACKWELL. I knew he was Grand Dragon, but I didn't know him. That was the first time I met him.

Mr. MANUEL. Who was the third individual?

Mr. BLACKWELL. Mr. Bailey. He is a lawyer from Jonesboro, I believe.

Mr. MANUEL. He was a lawyer from Jonesboro.

Did these individuals introduce themselves as Klansmen?

Mr. BLACKWELL. I don't believe they introduced themselves as Klansmen. Mr. Bailey introduced himself as a lawyer, and I believe he said he would represent them. I don't remember that he introduced himself as a Klansman.

Mr. MANUEL. At the time they visited your jail, did they state the purpose of their visit?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Would you please tell the committee what they told you or what you heard?

Mr. BLACKWELL. They said they wanted to come down to find out what the men were charged with and how much the bond was and to see about getting them out of jail.

Mr. MANUEL. At that time did they give any indication that the men involved and arrested were members of the United Klans of America?

Mr. BLACKWELL. I don't remember if they did. I don't remember if they did or not.

Mr. MANUEL. Did they make any active attempt to get these persons released from jail?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. What were their activities in that regard?

Mr. BLACKWELL. We set bond on them, and these men stayed in jail for about a week. About a week later a local bondsman made bond for them. We set their bond at, I believe it was \$800 each, and one of our requirements is that a person who signs the bond must live in the city of Griffin and own property or be a licensed bondsman. It took about a week, I believe, to get somebody to set the bond.

Mr. MANUEL. Regarding the person who was arrested named Colbert Raymond McGriff, what investigation did your department make of his background?

Mr. BLACKWELL. We fingerprinted him and sent it to Washington, and he didn't have a record with the Bureau.

Mr. MANUEL. Did you determine his address at that time, where he was from?

Mr. BLACKWELL. Yes, sir. He gave his address as Fulton County.

Mr. MANUEL. Fulton County, Georgia?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Regarding the defendant Allen Lee Bayne, what investigation did your department do on his background?

Mr. BLACKWELL. We fingerprinted him and sent his prints to Washington. They sent us back his complete record.

Mr. MANUEL. Would you give the committee the results of that investigation?

Mr. BLACKWELL. The first time Mr. Bayne had been fingerprinted was in 1945. He was investigated for burglary and released. That was in Gadsden, Alabama.

The next time he was fingerprinted was in November 1945, investigated for burglary and grand larceny. It says here in the disposition he was turned over to the State. I don't know from there on what happened to him.

The next time he was fingerprinted was in 1946 and they listed him as a "Navy-Straggler" and he was turned over to the Navy.

The next time he was fingerprinted was in February 1947, charged with theft of an auto, and it states here he was turned over to the State.

Then the next three times he was fingerprinted, in the Department of Corrections in Montgomery. On December 10, 1947, it states here that he received 18 months 10 days for—I guess that is auto theft. He escaped from prison September 13, 1948, and was recaptured September 19, 1948, and was discharged on June 7, 1949.

Then on July 12—no, on March 9, 1949, he was fingerprinted in Montgomery, Alabama, and he received 3 years there for something. It doesn't state in here what for. It says 3 years in the disposition.

Then in 1952, on June 22, 1952, attempted burglary. It says "Hold for Etowah County, Alabama." It doesn't have what happened out of that.

Then the State Board of Corrections at Montgomery, Alabama, fingerprinted him in 1952 and he received 6 months 57 days. I presume that was in connection with this burglary case up there.

Then grand larceny and burglary. He was admitted to the State Board of Corrections in Montgomery, Alabama, in 1952, on a 3-year 1-day term.

Then during that time he escaped and they apprehended him. On July 29, 1957, he received 13 months for escape, it says here on the FBI record.

The next time he was fingerprinted is when we fingerprinted him in Griffin on this cross-burning.

The CHAIRMAN. Who is that individual you are talking about?

Mr. BLACKWELL. That is Allen Lee Bayne.

Mr. MANUEL. And at the time of your first meeting with Allen Lee Bayne he was engaged in an act of intimidation against Negroes as a member of the United Klans of America; is that correct, Chief?

Mr. BLACKWELL. Yes, sir. That is the first time I met him.

Mr. MANUEL. With further regard to Colbert Raymond McGriff, who you said had no criminal background in Washington, what was his age at the time of arrest?

Mr. BLACKWELL. Twenty years old.

Mr. MANUEL. He was 20 years old?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. And Mr. McGriff was the one who had papers in one of the cars which stated or in effect made him an organizer for the United Klans of America; is that correct, sir?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Now with regard to the defendant Thomas Royce Carlyle, what investigation did you make of his background?

Mr. BLACKWELL. He didn't have a record.

Mr. MANUEL. Before leaving Mr. Bayne, what address did you establish for Mr. Bayne at the time of his arrest?

Mr. BLACKWELL. Fulton County. That is the city of Atlanta.

Mr. MANUEL. Thomas Royce Carlyle did not have any criminal background; is that correct?

Mr. BLACKWELL. No, sir.

Mr. MANUEL. What was his age at the time of arrest?

Mr. BLACKWELL. That was Carlyle?

Mr. MANUEL. Yes, sir.

Mr. BLACKWELL. He gave his age as 28.

Mr. MANUEL. And what was his address?

Mr. BLACKWELL. DeKalb County, Georgia. That is Decatur, that is the county seat of that county.

Mr. MANUEL. With regard to the defendant Oliver Curtis Sanders, what investigation did you make of his background?

Mr. BLACKWELL. He had been fingerprinted one time in Tuscaloosa, Alabama, and he was charged with D&S. I don't know what that is.¹ In the disposition he was released.

Mr. MANUEL. And what age was he at the time of arrest?

Mr. BLACKWELL. Fifty-four.

Mr. MANUEL. With regard to the defendant John Max Mitchell, what investigation did your department make of his background?

Mr. BLACKWELL. He didn't have a record.

Mr. MANUEL. And what was his address at the time of arrest?

Mr. BLACKWELL. Lamar County, Georgia. That would be Barnesville, about 14 miles south of Griffin.

Mr. MANUEL. What address did you establish for Oliver Sanders?

Mr. BLACKWELL. Monroe County; between Griffin and Macon.

Mr. MANUEL. Chief Blackwell, would you please explain to the committee what was the disposition of this case? What happened after they were placed in jail?

Mr. BLACKWELL. They were tried by our city recorder, and he found them guilty and fined them \$505 or 10 months. They filed an appeal to superior court. The superior court judge heard the appeal and sent it back to our court.

In the meantime, due to the fact that two of our witnesses had gone—one of these witnesses was a Negro soldier and he was stationed in Germany—and due to that fact they worked out a plan with our city attorney to let them place \$100 cash money as a bond and forfeit the bond in city recorder's court.

Mr. MANUEL. Would you further describe the Negro soldier whom you have just mentioned, and what was his connection with this case?

Mr. BLACKWELL. He had gone into this Cleanwell Pressing Club for some reason and started out the door. That was just as these men got out of the car to burn the cross. McGriff covered him with one of these guns and told him to be still, and he did.

Mr. MANUEL. Did he point the weapon right at this Negro soldier?

Mr. BLACKWELL. According to the Negro soldier he did.

Mr. MANUEL. What was the name of the Negro soldier?

Mr. BLACKWELL. Robert C. Brown. He lived at 549 North Sixth Street in Griffin, but at that time he was stationed here in Washington, D.C., and he was in the act of being transferred to Germany.

Mr. MANUEL. And at the time the trial came up, he was unavailable as a witness; is that correct?

Mr. BLACKWELL. The last trial. We held him over in the first trial. He appeared against them in the first trial, but we had to try them again later, after this testimony, and we couldn't get to him at that time. We couldn't get him home.

¹ "Dangerous and Suspicious."

Mr. MANUEL. You mentioned two trials. Would you please give the committee the results of the second trial?

Mr. BLACKWELL. We charged each one of them with a State statute of pointing a gun at a person. We tried McGriff because we had the best case against him. We tried McGriff in court. It resulted in a mistrial. There was nine members of the jury to find him guilty and three for acquitting him. So it ended up in a mistrial.

Mr. MANUEL. Chief, who served as the attorney for these five defendants in both trials?

Mr. BLACKWELL. Mr. Bailey, from Jonesboro, started the trial with the city, and Mr. Venable, James Venable, came in a little later and he took up the trial, and both together represented the defendants.

Mr. MANUEL. What were the results of the second trial that was held?

Mr. BLACKWELL. The second trial was the one that was held in the State court for pointing a gun, and they both represented them in that. Then the third part of it was nothing to that part except they forfeited \$100 bond in court for the disorderly conduct part in connection with the city.

Mr. MANUEL. What happened to the weapons that were confiscated by your department?

Mr. BLACKWELL. They obtained a court order, and we had to turn them back to them.

Mr. MANUEL. This was after the action of the third trial?

Mr. BLACKWELL. After the bond forfeiture in the third case.

Mr. MANUEL. Chief, going back to the original Saturday, April 24, 1964, when this incident took place and you confiscated these arms which you have described, was the fact that these individuals had these arms a violation of the law at that time?

Mr. BLACKWELL. I couldn't say for sure that it would have been a violation. If these weapons had been automatic weapons, it would have been violation of Federal law. But we couldn't find any law where it was a violation of the law for them to possess them.

Mr. MANUEL. In other words, your understanding is that existing Georgia law indicates that possession of this type of weapons in the manner that they were possessed is not a violation as of the time of the arrest; is that correct?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Chief, what happened to these men after they were released from jail?

Mr. BLACKWELL. They came back—do you mean on bond?

Mr. MANUEL. Yes, sir.

Mr. BLACKWELL. I didn't ever see them any more until the day of the trial.

Mr. MANUEL. Has your investigation established that after release from jail they remained members of the United Klans of America?

Mr. BLACKWELL. I don't know that, sir.

Mr. MANUEL. Do you have knowledge of a group operating in the vicinity of Barnesville, Georgia, using the name of the Vigilantes?

Mr. BLACKWELL. I have heard that. I don't know for sure. It is hearsay evidence. I have heard that.

Mr. MANUEL. Is it within your knowledge to know that John Max Mitchell and Colbert Raymond McGriff, two persons whom you

arrested in Griffin, are among the leaders of this new organization called the Vigilantes?

Mr. BLACKWELL. I understand that, but I don't know for sure. I don't know of my own knowledge.

Mr. MANUEL. That is out of the area of your jurisdiction; is that correct?

Mr. BLACKWELL. Yes, sir; it is out of the area of my jurisdiction. It is in another county.

Mr. MANUEL. Chief, would you explain to the committee, following the arrest of these five individuals and the disposition of their case, what is the current activity of the Ku Klux Klan in Griffin, Georgia?

Mr. BLACKWELL. They moved outside the city. They are no longer in the city of Griffin. If they have a meeting place, I don't know of it. One of the head men of it runs a truck stop which is 4 or 5 miles north of Griffin. It is in Spalding County, but not in the city of Griffin. I see a little activity around that place. But if they hold meetings there, I don't know of it; my own knowledge.

Mr. MANUEL. Do your records reflect who is the existing leader of group operating in the vicinity of Griffin, Georgia, although not in the area of your jurisdiction?

Mr. BLACKWELL. I would say Johnny Knowles and his father. I don't know which one is bigger, but they are both as big as there is in that organization.

Mr. MANUEL. Are they the same ones who were leaders at the time of the arrest of these five other individuals?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Chief Blackwell, would you please explain to the committee what was the reason for the trial—the second trial of these defendants after the first trial?

Mr. BLACKWELL. The second trial was a violation of a State statute which was tried by the superior court. That involved pointing a gun at a person.

Mr. MANUEL. And what was the result of the trial again, sir?

Mr. BLACKWELL. That was a mistrial.

Mr. MANUEL. On what grounds?

Mr. BLACKWELL. I don't know for sure.

The CHAIRMAN. If it is a jury trial, it was in the minds of the jury. Was it a jury trial?

Mr. BLACKWELL. Yes, sir; it was a jury trial.

The CHAIRMAN. And it resulted in a hung jury and a mistrial.

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. Chief Blackwell, in the photograph which you presented to the committee showing members of the Ku Klux Klan marching in a picket line, you stated that you could identify the three members represented.

I hand you this picture again (Blackwell Exhibit No. 2) and ask you to make those identifications, sir.

Mr. BLACKWELL. The first one in the lavender robe was John W. Knowles. The second one was Mr. H. B. Kendrick. The third one was Mr. Donald Eugene Hudgens.

Mr. MANUEL. You stated that the five defendants were represented by Mr. James Venable; is that correct?

Mr. BLACKWELL. Yes, sir.

Mr. MANUEL. At the time of the representation, did you know Mr. Venable to be an official of a Ku Klux Klan organization?

Mr. BLACKWELL. I didn't know it for sure. I read it in the paper a lot of times. I didn't know Mr. Venable until this time. But I had read it in the paper for years.

Mr. WELTNER. Mr. Chairman, at this point, may I direct an inquiry to the investigator?

James Venable is the Imperial Wizard of the National Knights of the Ku Klux Klan; is he not, Mr. Manuel?

Mr. MANUEL. That is correct.

Mr. WELTNER. Is he not also chairman of sort of a federation of other Klan organizations?

Mr. MANUEL. The National Association of the Knights of the Ku Klux Klan; yes, sir.

Mr. WELTNER. Did he not at one point occupy the position of Imperial Klonsel with the United Klans of America?

Mr. MANUEL. Yes, sir; up until the year 1962.

Mr. WELTNER. Thank you.

Mr. POOL. Chief, in your testimony a while ago, although I might have missed it, did you determine where these guns came from? Was there any way to trace the ownership of the guns?

Mr. BLACKWELL. No, sir.

Mr. POOL. Did you make an effort to trace them?

Mr. BLACKWELL. I know these .45 caliber Eagle guns are made in one of the New England States, either Connecticut or Massachusetts. It is advertised in the local peace officer magazines. I know the *Law And Order* magazine, the *Chiefs'* magazine and some other magazines advertise them.

Mr. POOL. Did you discuss this with the FBI and other law enforcement agencies?

Mr. BLACKWELL. Yes, sir.

Mr. POOL. There is no way to trace them?

Mr. BLACKWELL. No way to trace them.

Mr. POOL. What is your Georgia law on submachine guns? Would you call that a submachine gun? Is it really a submachine gun?

Mr. BLACKWELL. No, sir; it is not a machine gun. If it would shoot automatic fire it would be, but it won't shoot automatic fire.

Mr. POOL. You wouldn't classify it as a submachine gun?

Mr. BLACKWELL. It looks like a machine gun.

Mr. POOL. It is used to scare people?

Mr. BLACKWELL. It has a lot of fire power.

Mr. POOL. What is the Georgia law on submachine guns?

Mr. BLACKWELL. That would be a Federal law, sir.

Mr. POOL. A while ago, I think you said the court ordered these arms to be given back to these people.

Mr. BLACKWELL. Yes, sir.

Mr. POOL. What was the judge's name that gave that order?

Mr. BLACKWELL. Judge Magee, in superior court.

Mr. POOL. What is he?

Mr. BLACKWELL. He is a superior court judge.

Mr. POOL. There are not any of them really illegal?

Mr. BLACKWELL. No, sir.

The CHAIRMAN. May I interrupt?

Mr. POOL. Yes.

The CHAIRMAN. In other words, the judge responded to an order made to him and he signed it under existing law.

Mr. BLACKWELL. That is right, sir.

Mr. POOL. But if it had been a submachine gun, he wouldn't have signed it.

Mr. BLACKWELL. No, sir. It would have been a Federal case if it had been a submachine gun.

Mr. POOL. Let me ask you this: These hearings have been going on 2 or 3 weeks here, and we are getting so many witnesses up here taking the fifth amendment that it is refreshing to have a cooperative witness, such as you are, and an outstanding police officer in the South.

Do you have any recommendations to make to the committee about possible new legislation that would help in combating the efforts or activities of the Ku Klux Klan or other organizations like that?

Mr. BLACKWELL. I would be in favor of having records made, even on the weapon I carry, to have it registered with some agency. In that way you could always trace ownership. I would be in favor of making it a little hard for people to get those kinds of guns.

Mr. POOL. Of course, it is quite a controversial issue in the Congress. I recognize there are two sides to the argument. Registration of guns, serial numbers and things like that, would make it easier to trace the ownership.

Mr. BLACKWELL. Yes, sir.

Mr. POOL. Well, how about the guns that are stolen and things like that? You would still run into a blank wall; wouldn't you.

Mr. BLACKWELL. That is where, when we find a stolen gun, we would have something to trace it back to. In the case of a murder, a stolen gun used in a murder, we can trace that gun back to the original owner. I think it would be a great thing.

Mr. POOL. One of the purposes of this investigation is to find out if there is a possible loophole in the law that ought to be closed. That is what we are up here for, to try to determine during the investigation, and if we can get recommendations, I appreciate your making the recommendations.

Mr. BLACKWELL. I understand the firearms companies and the National Rifle Association and several people are fighting it.

Mr. POOL. That is all, Mr. Chairman.

Mr. MANUEL. Mr. Chairman, I have one further point.

Chief Blackwell, to your direct knowledge, does any member of the Ku Klux Klan in the vicinity of Griffin, Georgia, hold an elective position in that area?

Mr. BLACKWELL. We have one; yes, sir.

Mr. MANUEL. Would you please identify the member and what position he holds?

Mr. BLACKWELL. His name is J. W. Knowles, and he is a bailiff.

Mr. MANUEL. And he is the head of a local Klan unit?

Mr. BLACKWELL. I wouldn't say he is the head, but he is an officer in it. I believe he is listed as secretary-treasurer of it. But in the last 12 or 13 years he has never had any opposition.

Mr. MANUEL. Where is he a bailiff, sir?

Mr. BLACKWELL. In one of the districts on the west side of the county. I don't remember exactly which one it is.

Mr. MANUEL. It is out of the area of your jurisdiction; is it not?

Mr. BLACKWELL. Yes, sir.

Mr. POOL. In your job as chief of police, have you ever been threatened or have any efforts been made to intimidate you?

Mr. BLACKWELL. No, sir.

Mr. POOL. No one has tried that?

Mr. BLACKWELL. No, sir.

Mr. WELTNER. Chief Blackwell, I would like to welcome you as a fellow Georgian to this committee, and I want to thank you for appearing and testifying.

I think the committee ought to know that Chief Blackwell enjoys a reputation in our State as one of the outstanding law enforcement officers of the State. The manner in which he discharges his duties is an example that all might well follow.

I thank you for coming.

The photograph you have brought is a very dramatic one. Just so there will be no question about the identification, in the right corner of the picture there appears to be a cross covered with some sort of burlap material which has seemingly been burned. I take it that was the cross?

Mr. BLACKWELL. That was the cross that was burned.

Mr. WELTNER. In front of the Cleanwell Pressing Club on the 24th of April 1964?

Mr. BLACKWELL. Yes, sir.

Mr. WELTNER. You initiated a case in the municipal court of the city of Griffin. What was the charge stemming from the burning of that cross?

Mr. BLACKWELL. Disorderly conduct. To do an act that is detrimental to the morals, safety, or welfare of the community constitutes disorderly conduct.

Mr. WELTNER. Do you consider burning a cross to be such an act, detrimental to the safety and welfare?

Mr. BLACKWELL. Yes, sir; I certainly do. The fire could have gotten out of control and burned up the building. People get excited about things like that. I think they violated the laws.

Mr. WELTNER. So there is a fire hazard, but in addition to that, a hazard brought about by the very act of burning a cross?

Mr. BLACKWELL. Yes, sir.

Mr. WELTNER. I take it that is because of the long connection that a burning cross or flaming cross has with the Ku Klux Klan.

Mr. BLACKWELL. Yes, sir. It is a violation of State law to burn a cross on public property, and I understand that in order to burn one on private property you have to have the property owner's permission.

Mr. WELTNER. This was on public property?

Mr. BLACKWELL. Yes, sir. It was on the city street.

Mr. POOL. Is that under the arson statute?

Mr. BLACKWELL. It is under the State law. I don't think it comes under the arson part of it.

Mr. WELTNER. I believe you testified that picketing there in Griffin had been going on for 3 or 4 months prior to April 24, 1964.

Mr. BLACKWELL. Yes, sir.

Mr. WELTNER. And you brought several photographs of individuals who were picketing. I take it they were picketing because of policies pertaining to lunch counters or some such matter, which generated a lot of picketing over the South a year or so ago.

Mr. BLACKWELL. Yes, sir.

Mr. WELTNER. Do you know whether these pickets were people from Griffin?

Mr. BLACKWELL. Yes, sir; each one of the kids there was from Griffin.

Mr. WELTNER. I have here 16 photographs of what appear to be young Negroes bearing placards, and you say that each of these are Griffin citizens?

Mr. BLACKWELL. Yes, sir.

Mr. WELTNER. Did I gather that you said that each of the five men arrested were residents of either Fulton County or DeKalb County?

Mr. BLACKWELL. Monroe County and Lamar County.

Mr. WELTNER. There were no Spalding County residents there?

Mr. BLACKWELL. No, sir.

Mr. WELTNER. As a Southern man somewhat familiar with some of the difficult situations facing the South, I am also familiar with the reactions that come from situations like this. A very familiar phrase we hear quite frequently is "outside agitators." I wonder who the outside agitators in this instance were?

Mr. BLACKWELL. I don't know. In interrogating these men and so on, we never did find out exactly if they came on their own or if they were sent for by the local Klan, or what. We never did find that out.

Mr. WELTNER. But in any event, the five Klansmen who were arrested in connection with that incident were all from outside of the city of Griffin and county of Spalding?

Mr. BLACKWELL. Yes, sir.

Mr. WELTNER. Thank you again, Chief Blackwell, for being with us.

Mr. BUCHANAN. I would like to join in expressing appreciation for your testimony, Chief Blackwell. It is a refreshing change.

I would like to say, although I don't have a question for you, in response to my colleague from Texas, on questions about the registration of weapons, since the Constitution does give citizens the right to have and bear arms and since so many sportsmen, gun collectors, and others in this country innocently and without any wrongdoing avail themselves of this constitutional privilege, I personally am pretty sure I would resist any efforts to pass Federal law requiring registration of arms.

But may I say, in the event that the activities of the Klan are a factor in bringing about the passage of such law, I hope the ire of the sportsmen and gun collectors will be properly directed to the Ku Klux Klan rather than the Congress.

Mr. MANUEL. Chief Blackwell, of the items confiscated by your department on the 24th of April 1964, you mentioned, and the photograph shows, several walkie-talkie-type instruments. Did your department observe the use of these by Ku Klux Klan members?

Mr. BLACKWELL. Yes, sir. During the time that they were picketing, they kept two men at the point where they could observe the

picketing. These two men belonged to some kind of branch of it that is supposed to protect the other part of it.

Mr. MANUEL. Were they security guards?

Mr. BLACKWELL. Security guards or something to that effect. I remember they wore some type of helmet and they wore about half of a Sam Brown belt with a flashlight, a great big three-cell flashlight in that Sam Brown, and they had these walkie-talkie radios.

There wasn't any violation, but to us it looked kind of funny, anybody walking around in the daytime with a three-cell flashlight.

Mr. MANUEL. These were used by the Klansmen who were involved in the picketing; is that correct?

Mr. BLACKWELL. No, by the ones who were guarding the ones who were picketing. These men stood around where they could see what was going on. In case anything happened, I suppose they would have gotten into it.

Mr. MANUEL. And there were two-way radios confiscated from the cars which also contained the weapons; is that correct?

Mr. BLACKWELL. That is correct; two.

Mr. MANUEL. Did your department observe those particular two-way radios in use by the defendants?

Mr. BLACKWELL. I don't know if those were the two we had seen prior to this incident, but we had seen other men with radios just like them. Whether or not they had used these particular two, I don't know.

The CHAIRMAN. Chief, we want to thank you for being here today. In my opening statement I referred to the information supplied by our investigators, in whom we have complete confidence. I stated that the vast majority of law enforcement officers in the South are completely devoted to their duty as law enforcement officers.

I understand from what you said that you had some training background with the FBI.

Mr. BLACKWELL. Yes, sir.

The CHAIRMAN. As a law enforcement officer?

Mr. BLACKWELL. Yes, sir.

The CHAIRMAN. I happen to know of that service rendered by the FBI to local law officers who want to improve their techniques and proper law enforcement procedures. I am glad to say that I have assisted many law enforcement officers in my congressional district to attend that school.

You are a credit to the FBI system. As I say, I am convinced, completely convinced, that the vast majority of Southern law enforcement officers are devoted to duty. From what I know from our investigators, and taking the word of Mr. Weltner from Georgia, you are a particularly outstanding law enforcement officer. Again we thank you very much.

Mr. BLACKWELL. Thank you, sir.

The CHAIRMAN. The committee will stand in recess for a few minutes.

(Whereupon at 11:25 a.m. a short recess was taken with the following subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will be in order.

The Chair announces that the subcommittee will stand in recess until 2 o'clock this afternoon.

(Subcommittee members present at time of recess: Representatives Willis, Pool, and Buchanan.)

(Whereupon, at 11:30 a.m., Tuesday, November 2, 1965, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—TUESDAY, NOVEMBER 2, 1965

(The subcommittee reconvened at 2:13 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, and Weltner.)

The CHAIRMAN. The subcommittee will please come to order.

Mr. MANUEL, call your next witness.

Mr. MANUEL. The staff would like to call at this time, Mr. Chairman, Mr. Allen Bayne.

The CHAIRMAN. Raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BAYNE. I do.

TESTIMONY OF ALLEN LEE BAYNE, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. MANUEL. Mr. Bayne, would you state your full name for the record, please?

Mr. BAYNE. Allen Lee Bayne.

Mr. MANUEL. Is that B-a-y-n-e?

Mr. BAYNE. Correct.

Mr. MANUEL. When and where were you born, Mr. Bayne?

Mr. BAYNE. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on the 23d day of January 1928, in Etowah County, Alabama.

Mr. BAYNE. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. What is your occupation, sir?

Mr. BAYNE. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Bayne, are you represented today by counsel?

Mr. BAYNE. Yes, I am.

Mr. MANUEL. Would counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Bayne, have you ever been a member of a Ku Klux Klan organization?

Mr. BAYNE. Sir, I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Mr. Bayne, I put it to you as a fact, and ask you to affirm or deny the fact, that for a period prior to April 24, 1964, and including April 24, 1964, and for a period of time subsequent to April 24, 1964, you were a member of the United Klans of America.

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bayne, I hand you a copy of an application for citizenship in the Invisible Empire, Knights of the Ku Klux Klan, United Klans of America, Inc., and ask you to examine this document and tell this committee whether you have ever executed a copy of that application.

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Richard Constantineau Exhibit No. 3.")

Mr. MANUEL. Mr. Bayne, were you present today during the testimony of Chief Leo Blackwell, of Griffin, Georgia?

Mr. CHALMERS. Mr. Chairman, I am not certain whether he was or was not present. May I inquire of the witness with respect to that point, and state to the chairman?

The CHAIRMAN. Yes.

(Witness confers with counsel.)

Mr. CHALMERS. Mr. Chairman, I am informed that he was not in the committee room; that he was outside in the chamber.

The CHAIRMAN. All right.

Mr. MANUEL. Mr. Bayne, Chief Blackwell testified this morning before the committee that you were arrested on April 24, 1964, as a member of the Ku Klux Klan on the charge of burning a cross in front of a business establishment called the Cleanwell Pressing Club in Griffin, Georgia. Was Chief Blackwell's testimony—

The CHAIRMAN. Distinguish between the city proceedings and the State proceedings. There were two proceedings filed. One was under State law and one was under city ordinance.

Mr. MANUEL. I specifically directed the question to the charge of burning a cross before a business establishment.

The CHAIRMAN. All right.

Mr. MANUEL. My question to you, Mr. Bayne, is, Was Chief Blackwell's testimony correct?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bayne, do you have—

The CHAIRMAN. Mr. Bayne, the chief of police of Griffin, Georgia, Mr. Blackwell, under oath, like you, and under the pains and penalties of perjury if he didn't tell the truth, did so swear. Now you are being given an opportunity to affirm or deny his testimony.

In this way the record would be made and if your testimony was in the negative, I want to tell you that I wouldn't hesitate to refer the

matter to the Department of Justice for perjury prosecution against either you or the chief. Here is your opportunity to speak out while you are under oath.

Do you wish to answer that question?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bayne, do you have a criminal record?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Chief Blackwell provided to the committee from his files a record for Allen Lee Bayne. I would like to call your attention to the last six entries on this record.

That on 10-18-52 you were arrested for burglary in the second degree and grand larceny, sentenced to 3 years and 1 day; on 3-13-57 you were arrested on a charge of grand larceny, sentenced to 1 year and 1 day; 3-14-57 you were arrested on a charge of grand larceny and the sentence was 1 year and 1 day; on the 29th day of March 1957 you were charged with burglary in the second degree and sentenced to 1 year and 1 day; on 7-29-57 you were charged with escape from a penitentiary and sentenced to 13 months in jail.

I hand you this record, Mr. Bayne, and ask you to advise the committee as to whether it is correct or not.

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bayne, I put it to you as a fact, and ask you to affirm or deny the fact, that you did, sometime subsequent to 1957, execute an application form for the Invisible Empire, United Klans of America, Inc.

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. In applying for citizenship in the Invisible Empire of the United Klans of America, did you at any time inform any of the leaders or officers of the United Klans of America of your criminal background?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. To your knowledge, Mr. Bayne, what investigation was made of your background by any leader or officer of the United Klans of America?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bayne, Chief Blackwell testified this morning that arrested with you on the 24th day of April 1964 were John Mitchell, Colbert Raymond McGriff, Thomas R. Carlyle, and Oliver C. Sanders.

I put it to you as a fact, and ask you to affirm or deny the fact, that you knew the four men mentioned as members of the United Klans of America, Knights of the Ku Klux Klan.

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Chief Blackwell further testified this morning that, to his knowledge, all five men arrested, including yourself, were from an area outside of Griffin, Georgia.

My question to you, sir, is: Were any instructions given by any leader or officer of the United Klans to any one or all of the five persons involved, including yourself, to go to Griffin, Georgia, to engage in an act of intimidation?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Chief Blackwell further testified, Mr. Bayne, that you were one of the persons who got out of a car in front of the Cleanwell Pressing Club and actually lit, or aided in the lighting of, a cross which was burned in front of the Cleanwell Pressing Club.

Is this testimony correct?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Mr. Bayne, I have before me a pamphlet entitled "The Principle of the United Klans of America, Knights of The Ku Klux Klan." In it, among other subdivisions, is the heading "Ideals of a Klansman," what the Klan believes in, and so on.

I read you this passage, and I take it that this pamphlet is an official document distributed to its members, and on its face it was issued out of the headquarters of the Imperial Wizard, Robert M. Shelton, in Tuscaloosa, Alabama, and the part I read is as follows:

We believe in law and order: In other words, the Klan believes in keeping the laws and in enforcing the laws. Many accusations have been brought against the Klan as law-breakers. These accusations against the order are purely newspaper propaganda. So far we have not heard of a single instance where the Klan, by an official act, has violated any law.

I state to you again that Chief Blackwell, under oath, said that you not only violated the law, but that you were prosecuted for the violation. So it is not a question of the generality of these ideals, but here is an instance of law violation brought against you personally.

Was Chief Blackwell telling the truth or was he falsifying?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Allen Bayne Exhibit No. 1." This exhibit will be reproduced in a forthcoming report on Klan organizations.)

(At this point Mr. Buchanan entered the hearing room.)

The CHAIRMAN. All right.

Mr. MANUEL. Mr. Bayne, Chief Blackwell, in his testimony this morning, further stated that the Cleanwell Pressing Club, in front of which was burned a cross by you, was owned by two brothers, Raymond and Otis Head, whom he further identified as having met with a civil rights council in the city of Griffin prior to April 24, 1964.

Mr. Bayne, I would like to ask you why was the cross burned in front of Mr. Head's business establishment?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bayne, I put it to you as a fact, and ask you to affirm or deny the fact, that this cross was burned in front of Mr. Head's business establishment because he was a leader and a member of the biracial committee to integrate certain facilities in Griffin, Georgia, and because he was a Negro.

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Chief Blackwell further testified this morning that two cars were involved in this incident. One was a 1956 Chevrolet, two-door, black in color, bearing 1964 Georgia tags number 1-3055. Investigation conducted by his department revealed that that particular automobile was registered in the name of A. Bayne, of 8 Glendale Place, Atlanta, Georgia.

I show you these two documents, Mr. Bayne, and ask you if you are the A. Bayne who owned that 1956 Chevrolet.

(Document handed to witness.)

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Allen Bayne Exhibit No. 2" and retained in committee files.)

Mr. MANUEL. Mr. Bayne, taken from that automobile, taken from the two automobiles, were what the chief described as a small arsenal consisting of the weapons which he showed pictured in a photograph which I now show you.

(Photograph handed to witness.)

Mr. MANUEL. My question to you, Mr. Bayne: Were these weapons taken from cars, one of which was owned by yourself?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Photograph previously marked "Leo Blackwell Exhibit No. 1.")

Mr. MANUEL. Chief Blackwell, as further indicated in his records, stated that one of these semiautomatic machineguns was owned by you. Mr. Bayne, I would like to ask you where did you obtain this weapon?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Where did the other Klan members obtain their respective weapons?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Chief Blackwell further testified that after the disposition of the case the Klansmen came back to Griffin, Georgia, and reclaimed the weapons. Do you know what has happened since to those weapons?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Chief Blackwell further testified that after your arrest on Saturday night, you were visited by Grand Dragon Calvin Craig, Mr. Robert Bing, and Mr. Wesley Bailey. What was your conversation with Calvin Craig that Saturday night?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did Calvin Craig advise you and the other defendants that the United Klans of America would aid in your defense?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did Mr. Craig advise you, or did any other member of his party, that is, Mr. Bing or Mr. Bailey, advise you that a fund would be collected from the members of the United Klans of America for your defense?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that a fund was raised for your defense.

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. And that fund was raised by voluntary contributions by other members of the United Klans of America in the Realm of Georgia.

I put it to you as a fact and ask you to affirm or deny that fact.

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bayne, have you ever been a member of an organization know as the Vigilantes, which operated out of the area of Barnesville, Georgia, in Lamar County?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you know that Colbert Raymond McGriff and John Mitchell, the two persons arrested with you on the 24th day of April 1964, were leaders of this group called the Vigilantes?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you know an individual by the name of Johnny Terrell to be a member of the Vigilantes?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you know Oliver Sanders to be a member of the Vigilantes?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you know Earl Holcomb to be a member of the Vigilantes?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you know Joseph Simms to be a member of the Vigilantes?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you know Cecil Meyers to be a member of the Vigilantes?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do you know of any activity on the part of members of the Vigilantes to collect and store arms in the area of Barnesville, Georgia?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do you know any member of the Vigilantes who has engaged in any acts of intimidation or acts of violence?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

Mr. POOL. The committee does not appreciate your lack of cooperation here today. You have a right to take the fifth amendment, however, and we recognize that.

The CHAIRMAN. Mr. Buchanan?

Mr. BUCHANAN. Mr. Chairman, in light of some of the contents which I have just read from this propaganda sheet put in our hands concerning the principle of the United Klans of America, and in light of the evidence that has been brought out concerning the activities of this witness, I want to point to the fact that this paper states:

We believe in God and the tenets of the Christian religion, and that a Godless nation cannot long prosper.

The Christian religion is founded on the teaching of Jesus Christ. An infidel or a person who rejects Jesus Christ and His teachings, cannot be a true Klansman. And the nation that rejects God and His word is sure to reap calamity of some kind.

We believe that a church that is not founded on the principles of morality and justice is a mockery to God and man.

There are churches, so-called, that do not require a high standard of morality and justice from their membership. Men who accept the teachings of such churches cannot be Klansmen, in the true sense of the word. The genuine Christian is both moral and just.

It seems to me that I recall when asked what the greatest commandment was, Jesus Christ said to love God with all your heart, soul, mind, strength, and your neighbor. Then to a question as to who your neighbor was, He responded by pointing to the example of a Samaritan, who to his hearers was a person to whom they felt the same kind of racial prejudice as some people feel toward the Negroes in our country today.

I point that up because a Klansman, it says here, is supposed to follow the teachings of Jesus and cannot be a true Klansman unless he does. I guess this means he should love the colored people.

He said further that "Thou shalt love thy neighbor as thyself."

This being the case, I wonder if your weapons and your activities are an expression of your love toward your neighbor.

(Witness confers with counsel.)

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. BUCHANAN. Mr. Chairman, I would like to state that I didn't mean to have a Sunday school lesson here, but if this is an expression of Christianity, may the world be spared from the heathens.

That is all I can say.

Mr. MANUEL. I would like to state for the record that Mr. Allen Lee Bayne is appearing before the committee today in response to a subpoena served by Deputy Marshal Roberts on October 18, at approximately 1 p.m., at Glencoe, Alabama.

Is that correct, Mr. Bayne?

Mr. CHALMERS. It is so stipulated, Mr. Chairman.

Mr. MANUEL. That is all, Mr. Chairman.

The CHAIRMAN. Mr. Bayne, in this pamphlet I showed you a while ago, "The Principle of the United Klans of America, Knights of the Ku Klux Klan," that organization takes a good deal of credit for the preservation of law and order and enforcement of the statutes, and so on.

It says:

Deaths by mob violence have fallen off very materially since the advent of the Klan. The Klan believes in law-enforcement and if a person has committed a crime the law should take its course.

Do you believe in that?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Do you believe that you were unjustly or unlawfully prosecuted?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. The pamphlet goes on to say, "We will follow the teachings of the Bible * * *"

Does the Bible have anything to say about it being Christian and good to go around with concealed weapons or in a car carrying weapons for purposes of acts of violence? Is that consistent with the Bible?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. I see you take the news media to task in that same pamphlet, which is distributed to your membership:

The press should be free to spread news without coloring it to suit any person or sect: But such is not the case, scarcely a newspaper anywhere dares to publish the truth: the whole truth and nothing but the truth. * * *

Then it goes on to say that the press is controlled by certain religions, and so on.

Do you believe in a free press?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Then I have another pamphlet issued out of your Tuscaloosa headquarters. It is entitled "The Seven Symbols of The Klan."

One is the Bible, another the cross, another the flag, another the sword, another the water, another the robe, another the hood. Under the sword, I quote this:

This unsheathed sword of steel is a symbol of law enforcement. It represents the military, or enforcement powers of our government from the president down to the constable. Its presence on our sacred altar signifies that we, as an organization, are solidly behind every enforcement officer in the land * * *.

and so on.

Does the Klan really cooperate with law enforcement officers?

Mr. BAYNE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Allen Bayne Exhibit No. 3." This exhibit will be reproduced in a forthcoming report on Klan organizations.)

The CHAIRMAN. The witness is excused and released from his subpoena.

Call your next witness.

Mr. MANUEL. At this time the staff would like to call Mr. Wesley Bailey.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BAILEY. I do.

**TESTIMONY OF WESLEY GUY BAILEY II, ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

Mr. MANUEL. Mr. Bailey, would you state your full name for the record, sir?

Mr. BAILEY. Wesley Guy Bailey II.

Mr. MANUEL. When and where were you born, Mr. Bailey?

Mr. BAILEY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on the 1st day of September 1927 in Oklahoma City, Oklahoma.

Mr. BAILEY. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Mr. Bailey, are you represented today by counsel?

Mr. BAILEY. Yes, I am.

Mr. MANUEL. Would counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Bailey, what is your present occupation?

Mr. BAILEY. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you are an attorney at law with offices at 193-195 Highway 54, in Jonesboro, Georgia.

Mr. BAILEY. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Where do you currently reside, Mr. Bailey?

Mr. BAILEY. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you currently reside at 167 Dixie Drive, Jonesboro, Georgia.

Mr. BAILEY. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Are you currently a member of a Ku Klux Klan organization, Mr. Bailey?

Mr. BAILEY. I respectfully decline to answer that question upon the grounds previously stated.

The CHAIRMAN. The committee will stand in recess for 5 minutes. (Whereupon at 2:48 p.m. the subcommittee recessed and reconvened at 2:55 p.m. Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan and when hearings resumed: Representatives Willis, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

Mr. MANUEL. Mr. Chairman, at this point I would like to state for the record that the committee investigation has established that Mr. Bailey is currently a member of the United Klans of America, Realm of Georgia; further, that he is a member of Clayton County Klavern No. 52; further, that as of January 1965 he held the office

of klokard in that Klavern; and, further, he is identified as the treasurer of the Clayton Civic Club, Inc.

Are the results of the committee investigation correct, Mr. Bailey?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Further, Mr. Chairman, I would like to state for the record that Mr. Bailey was one of the original incorporators of the Clayton Civic Club.

Is that correct, Mr. Bailey?

(Witness confers with counsel.)

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bailey, I show you a copy of a charter filed in the Superior Court of Clayton County, State of Georgia, dated 5 January 1965, the first paragraph of which says the following:

The petition of Fred Hand, Route 3, College Park, Georgia; D. E. Bruce, Box 117, Jonesboro, Georgia; W. G. Bailey, 167 Dixie Drive, Jonesboro, Georgia; B. J. Hand, Route 3, Jonesboro, Georgia; Roy Meadows, 114 Lake Drive, Jonesboro, Georgia; Henry Hand, Johnson Road, Forest Park, Georgia; and J. W. Wells, 125 Tanglewood Dr., Jonesboro, Georgia, all of whom are residents of Clayton County, Georgia, respectfully shows to the Court:

et cetera.

I would like to show you this document, Mr. Bailey, and ask you if you are the W. G. Bailey of 167 Dixie Drive, Jonesboro, Georgia, who is listed thereon.

(Document handed to witness.)

Mr. BAILEY. I respectfully decline an answer that question based upon the grounds previously stated.

(Document marked "Wesley Bailey Exhibit No. 1.")

Mr. MANUEL. Mr. Bailey, are you appearing before the committee today in response to a subpoena served upon you at 12:30 p.m. on the 11th day of October 1965 by Deputy Marshal Camp?

Mr. CHALMERS. It is so stipulated, Mr. Chairman, that he is here as a result of a subpoena and the return thereon speaks for itself.

(At this point Mr. Pool entered the hearing room.)

The CHAIRMAN. And it states the facts?

Mr. CHALMERS. Yes, sir.

Mr. MANUEL. Mr. Bailey, paragraph 1 of that subpoena requires you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Mens Club, Clayton County Klavern #52, and Clayton Civic Club, Inc. in your possession, custody or control or maintained by you or available to you as an officer of Clayton Civic Club, Inc., and County Klavern # 52 of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you at this point, Mr. Bailey, to produce the documents as outlined in paragraph 1 of your subpoena.

Mr. BAILEY. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated

October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(At this point Mr. Weltner left the hearing room.)

The CHAIRMAN. Mr. Counsel, I offer to make the following stipulation: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Mr. CHALMERS. It is so stipulated, Mr. Chairman.

(At this point Mr. Weltner returned to the hearing room.)

The CHAIRMAN. Mr. Bailey, the committee does not accept your grounds for refusing to produce the documents called for by the subpoena. I accordingly direct you to produce the documents.

Mr. BAILEY. I respectfully decline to produce to the committee the documents ordered and demanded by the committee based upon the grounds previously stated.

The CHAIRMAN. Counsel, I take it that the same stipulation applies to this part of his subpoena?

Mr. CHALMERS. With respect to paragraph 1; yes, sir. I don't think there has been a demand or an order with respect to paragraph 2. But with respect to paragraph 1, the stipulation that the chairman and myself have heretofore entered into certainly applies to this witness; yes, sir.

The CHAIRMAN. Under the circumstances, Mr. Bailey, I order and direct you to produce the documents.

Mr. CHALMERS. Mr. Chairman, may I state I believe there has been a demand with respect to paragraph 1; is that correct?

The CHAIRMAN. What he is saying, Mr. Manuel, is that you posed the question but you didn't make the demand.

Mr. MANUEL. I asked him to produce all books, records, and so forth, as outlined in paragraph 1.

Mr. CHALMERS. I think there was a demand with respect to paragraph 1. I think there was an order by the chairman with respect to paragraph 1. I think there was a declination by the witness with respect thereto.

The CHAIRMAN. We can avoid this. Ask him to produce the documents called for in paragraph 2.

Mr. MANUEL. I haven't read paragraph 2 yet.

Mr. CHALMERS. I think you are a little bit premature, Mr. Chairman, we have not gotten to paragraph 2.

The CHAIRMAN. He was directed to answer paragraph 2.

Mr. CHALMERS. Yes, sir.

Mr. MANUEL. Now paragraph 2 of your supena calls for you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as officer of Clayton County Klavern #52, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other official of said organization, the same being in your possession, custody or control.

I ask you now, Mr. Bailey, to produce the documents as outlined in paragraph 2.

Mr. BAILEY. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. CHALMERS. Mr. Chairman, with respect to paragraph 2 we shall enter into the same stipulation with the chairman that we entered into with respect to paragraph 1 and with respect to the other witnesses that we have also entered into.

The CHAIRMAN. Thank you very much.

Under the circumstances, Mr. Bailey, I will order and direct you to produce the documents.

Mr. BAILEY. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. What is the Clayton Civic Club, Inc.?

Mr. BAILEY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the Clayton Civic Club, Inc., is a front organization set up by Clayton Klavern No. 52 of the United Klans of America, Realm of Georgia, and that all officers of the Clayton Civic Club are also members and officers of Clayton Klavern No. 52 of the United Klans of America.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bailey, I put it to you as a fact, and ask you to affirm or deny the fact, that on February 9, 1965, you were elected treasurer of the Clayton Civic Club at a meeting held in February 1965.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you were installed as the klokar of Clayton Klavern No. 52 of the United Klans of America at a meeting held on January 11, 1965, at Jonesboro, Georgia.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Chairman?

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. Mr. Bailey, I have been concerned over a radio and television report from Atlanta concerning this organization, the Clay-

ton Civic Club, Inc. On October 19, the current investigation opened here and the Clayton Civic Club, Inc., was identified by the investigators as a cover name or front name for a Klavern of the United Klans of America, operating in Clayton County, Georgia.

That evening after that matter was disseminated in the public press, an individual—and I don't know the name of the individual—called into the radio-television media in Atlanta and stated that that was not the case, that the Clayton Civic Club, Inc., was not a front organization for the Ku Klux Klan.

I am most anxious that no error be made in identifying any individual as a member of the Klan when that person is not a member, and I am equally concerned that we do not undertake to identify an organization as a Klan organization when it is not a Klan organization.

I have in front of me the charter that has as one of the incorporators of the Clayton Civic Club, Inc., W. G. Bailey, 167 Dixie Drive, Jonesboro, Georgia.

My question is simply this: Is the Clayton Civic Club, Inc., a unit of the United Klans of America or of any other Klan organization?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Mr. Bailey, this charter is obviously made under the laws of Georgia permitting the incorporation of nonbusiness corporations. This particular one states one of the objectives of the corporation to be:

The corporation is organized and shall be operated for the purpose of promoting the Civic and Social Welfare and the betterment of the County and State; To aid in the future progress of the County and State; to aid in the relief of distress and poverty of the needy; and to assist other charitable, religious, and educational organizations.

The applicants for this charter, according to the petition preceding the recitations of the charter, are stated to be Fred Hand, D. E. Bruce, W. G. Bailey, B. J. Hand, Roy Meadows, and so on.

In instance after instance in these hearings we have had people applying for charters as gun clubs, civic clubs, fishing clubs, and whatever.

The point is that people who are not Klansmen could well have been hoodwinked into believing that group to be what it purports to be when, in fact, it is just a phony, a front, a cover, for a Klan unit. That is the point.

You are a lawyer. Now you are being given the opportunity under oath to say whether or not this is a front, a phony, coverup charter to serve the purposes of a Klan unit.

Is our information, which has been presented to you, true or false? Now is the time to speak, to let the people of the great State of Georgia and the county involved know.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds as previously stated.

Mr. MANUEL. Mr. Bailey, as the treasurer of the Clayton Civic Club, Inc., I put it to you as a fact, and ask you to affirm or deny the fact, that all officers of the Clayton Civic Club, Inc., are known by you to be members of the United Klans of America, Realm of Georgia.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. The president of that organization is Mr. Fred Hand. Do you know Mr. Hand to be a member of the United Klans of America, Realm of Georgia?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do you know him to be a member of Clayton County Klavern No. 52?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. With further regard to the Clayton Civic Club, Inc., Mr. Henry Hand is the vice president of that organization. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Henry Hand is also a member of the United Klans of America, Realm of Georgia, and a member of the Clayton County Klavern No. 52.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. J. W. Wells is the secretary of the Clayton Civic Club, Inc. I put it to you as a fact, and ask you to affirm or deny the fact, that you know Mr. J. W. Wells to be a member of the United Klans of America, Realm of Georgia, and a member and officer of Clayton County Klavern No. 52.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Wells is the klaliff, or secretary, of Klavern No. 52.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Daniel Bruce, who was also an original incorporator of the Clayton Civic Club, Inc., is known by you to be the klokann chief of Klavern No. 52 and an instructor at the judo school conducted by Clayton County Klavern No. 52.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. B. J. Hand is a member of the Clayton Civic Club, Inc., and is known by you to be the klabee, or treasurer, of Clayton County Klavern No. 52.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Another original incorporator is Mr. Roy Meadows. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Roy Meadows is a member of the United Klans of America, Realm of Georgia, and a member of Clayton County Klavern No. 52.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bailey, have you ever attended and received instruction in judo, karate, and demolition at training courses sponsored by Clayton County Klavern No. 52 of the United Klans of America of the Realm of Georgia?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were present at a military training session held by Clayton County Klavern No. 52, United Klans of America, Inc., on August 25, 1963, near McDonough, Georgia, at which session there was a 2-hour 15-minute training and practice in judo.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. At this point I would like to ask you who were the instructors at that session?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were also present at a military training session held by the Clayton County No. 52 Klavern on September 1, 1963, near McDonough, Georgia, at which session there was taught instruction in the use of a knife and how to defend yourself from a knife attack.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you also attended a military training session in judo held by the Clayton County No. 52 Klavern near McDonough, Georgia, on November 24, 1963.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Who were the instructors at that training session, Mr. Bailey?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were also present at a meeting sponsored by the Clayton County No. 52 Klavern of the United Klans of America on October 17, 1964, which meeting was held on the farm of Robert L. Bing, in Henry County, Georgia.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Robert L. Bing is the exalted cyclops of Clayton County No. 52.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Further with regard to the meeting on October 17, 1964, the committee investigation has established that the purpose of this meeting was how to learn to assemble and disassemble the M-1 rifle, how to make Molotov cocktails using bottles filled with a mixture of gasoline and motor oil, and how to make small bombs from dynamite.

I put it to you as a fact, and ask you to affirm or deny the fact, that the result of the committee investigation is correct.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that the instructors on October 17, 1964, were Daniel Bruce and Charles M. Bartlett.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Charles M. Bartlett is the grand klarogo of the Realm of Georgia, United Klans of America.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Daniel Bruce is the klokann chief of Clayton County Klavern No. 52.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. With further regard to the demonstration given on October 17, 1964, the committee investigation has established that a demonstration was given by the instructors on that day in rigging a booby trap, using a string stretched across a path in the woods. There also was a demonstration in making various types of fuses with which to ignite dynamite bombs. Included in the instruction was a problem in guerrilla warfare in which the group considered problems of taking over a radio station and a power plant.

I put it to you as a fact, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you participated in a 3-hour military training session held by Clayton County Klavern No. 52 near McDonough, Georgia, on January 31, 1965, at which the training consisted of instruction and practice with pistols, various caliber pistols being used, including a .22, .38, and .45.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I now show you a copy of a bulletin put out on which the name of Calvin F. Craig, Grand Dragon, Realm of Georgia, is imprinted, with the heading "United Klans of America, Inc., Knights of the Ku Klux Klan, P.O. Box 10753, Atlanta, Georgia," dated January 17, 1965, stating:

Esteemed Klansmen:

We will start Judo, Karate, and Rifle and Pistol firing training on Monday, January 25, 1965, at the Henry County #60 Klavern.

Four (4) trophies have already been purchased by Klayton #52 Klavern. There will be a trophy for each of the above classes.

Everyone who participates in the training MUST sign a release of all responsibilities.

Each participant will pay \$2.50 to cover 2½ months of training. This training is sponsored by Klayton #52. Contact #52 for any further information.

Imprinted are the initials "I.T.S.U.B." and the name "Calvin F. Craif, Grand Dragon, Realm of Georgia."

I hand you this, Mr. Bailey, and ask you if you were one of the "Esteemed Klansmen" who received such a notice.

(Document handed to witness.)

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Calvin Craig Exhibit No. 1." See p. 2161.)

Mr. MANUEL. Did you attend as a member of the Clayton County Klavern No. 52 —

Mr. BAILEY. I respectfully decline to answer that question—

Mr. MANUEL. I haven't finished the question.

Have you attended as a member of Clayton County Klavern No. 52 any judo, karate, rifle- or pistol-firing training as initiated by this document?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bailey, I put it to you as a fact, and ask you to affirm or deny the fact, that you were present at a meeting of Clayton County Klavern No. 52 held on June 29, 1964, at the Lake City Community House in Lake City, Georgia.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that at that meeting there was a discussion of ways of maintaining segregation and preventing integration.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that the discussion at that meeting turned to acts of violence against Negroes, such as arson and bombs.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were one of those members present who agreed that acts of violence would be necessary to stop integration.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. With further regard, Mr. Bailey, to the demolition school held at the farm of Robert Bing on October 17, 1964, I put it to you as a fact, and ask you to affirm or deny the fact, that Robert L. Bing, Jimmy Webb, Daniel Bruce, George Sligh, Fred Hand, and Charles Bartlett were among the members of Clayton County No. 52 Klavern who participated in this demonstration.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that besides members of the United Klans of America there were members of other Klan groups present at that demolition demonstration.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that H. J. Jones and Clyde Newborn were at that demonstration.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that both H. J. Jones and Clyde Newborn are known by you to be officers of the U.S. Klans, Knights of the Ku Klux Klan, Inc.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, again and ask you to affirm or deny the fact, that Charles Bartlett was an instructor at that demonstration.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Bartlett in giving the demonstration explained that a Klansman should know sabotage and demolition work in the event our country is ever invaded and taken over by an enemy, in which case the Klan would have to work underground.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Among other things, Mr. Bartlett mentioned in the course of his demonstration that one of the important things about an underground organization is communications and organizational setup.

He then taught Klansman by means of a chart which depicted the setup of an underground group, and he read from several printed pages.

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bailey, I would like to ask you now what is your purpose in attending instruction classes in the art of judo, karate, and explosive devices?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. What is the intent of the United Klans of America in teaching certain of its members in the art of judo, karate, and explosive demonstrations?

Mr. BAILEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. Mr. Chairman, I have no questions of the witness, but I did wish to call the attention of my colleagues on the committee to the final page of the document that the chairman distributed called "The Seven Symbols Of The Klan".

I note that this was a document that was apparently drafted during the time of the U.S. Klans and refers to the U.S. Klans throughout the course of it, but it has the legend of the United Klans of America on the bottom of it and apparently has been promulgated by that body.

There is one sentence in there that I think is most appropriate on the last page. It says as follows, speaking about power, "The secret of our power lies in the secrecy of our membership."

I simply want to call that to my colleagues' attention.

The CHAIRMAN. Thank you.

The witness is excused and released from his subpoena.

The subcommittee will stand in recess until 10 o'clock tomorrow morning.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 3:35 p.m., Tuesday, November 2, 1965, the subcommittee recessed, to reconvene at 10 a.m., Wednesday, November 3, 1965.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 2

WEDNESDAY, NOVEMBER 3, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. Manuel, please call your first witness.

Mr. WELTNER. Mr. Chairman, prior to the calling of the first witness, I should like to relate to the committee the substance of a telephone conversation I had this morning with Mr. Fred Briggs, who is the news editor of station WSB, Atlanta, Georgia. That is a television station.

The chairman will recall yesterday I propounded questions to Mr. Bailey on the basis of my understanding that an individual, whom I did not then know by identity, had appeared on television station WSB, Atlanta, shortly after the Clayton Civic Club, Inc., was identified by this committee as a Klan organization.

That individual appeared and denied that Clayton Civic Club, Inc., was a Klan front or a Klan cover, and it is my understanding that the individual demanded an apology from this committee.

I have now learned from Mr. Briggs of that station that the individual who thus appeared was Wesley G. Bailey II, the same witness to whom I propounded that question. Mr. Briggs has offered to make available to this committee, if the Chair so desires, a magnetic tape of possibly 10 minutes' duration wherein Mr. Bailey did deny that matter.

I simply bring that to the attention of the committee inasmuch as the same questions were propounded to Mr. Bailey yesterday.

The CHAIRMAN. I don't know that we will require that. We will think about bringing in the tape. But I happen to see Mr. Bailey in the audience, although he has been released from the subpoena. Technically, I could call him now, but I won't do it. However, I now offer him an opportunity to come back to the witness stand and explain this matter under oath if he wants to. If he wants to respond from where he is or talk to his counsel, that is all right with me.

Mr. CHALMERS. Mr. Chairman, after conferring with my client, he has no comment to make.

The CHAIRMAN. Pardon?

Mr. CHALMERS. My client has no comment to make.

The CHAIRMAN. All right.

Call your next witness.

Mr. MANUEL. Mr. Chairman, at this time the staff would like to call to the witness chair Mr. Howard Smith.

The CHAIRMAN. Please raise your right hand, sir.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SMITH. I do.

TESTIMONY OF HOWARD WILLIAM SMITH

Mr. MANUEL. Mr. Smith, would you state your full name for the record, sir?

Mr. SMITH. Howard William Smith.

Mr. MANUEL. What is your occupation, Mr. Smith?

Mr. SMITH. I am chief of the Clayton County Police Department.

The CHAIRMAN. Talk a little louder, Mr. Smith.

Mr. SMITH. I am chief of the Clayton County Police Department.

Mr. MANUEL. Sir, where is the headquarters of the Clayton County Police Department?

Mr. SMITH. It is located in Jonesboro, Georgia.

The CHAIRMAN. Chief, for my information, you are the chief of police of the county?

Mr. SMITH. Yes.

The CHAIRMAN. Wouldn't that be under the jurisdiction of a sheriff? I am just asking about the system in that area. Usually a chief of police has jurisdiction over a city or a town.

Mr. SMITH. We have a county police force which serves as investigating all of the crimes in the county and enforcing the traffic laws. Our sheriff runs two courts plus a jail and serves all the civil papers.

The CHAIRMAN. I see.

Mr. MANUEL. Mr. Smith, when and where were you born, sir?

Mr. SMITH. I was born September 4, 1913, in Crawford County, Georgia, just out of Knoxville.

Mr. MANUEL. Would you please state for the committee or give the committee a brief résumé of your career as a police officer?

Mr. SMITH. I went to work for Clayton County as a patrolman in 1939. In 1944 I went with the State Revenue Department. I stayed

with them until up in part of 1950. At that time I left the force until 1953, when I went back as chief of police of Clayton County.

Mr. MANUEL. How long have you been the chief of police?

Mr. SMITH. I have served as chief a little over—about 10½ years as chief.

Mr. MANUEL. Is your office an elective position?

Mr. SMITH. No, sir.

Mr. MANUEL. By whom are you appointed?

Mr. SMITH. I am appointed by the county commissioners.

Mr. MANUEL. In the course of your duties as chief of police of Clayton County, have you had occasion to investigate the activities of various Ku Klux Klan organizations?

Mr. SMITH. Well, I won't say "various." I investigated a Klan we have in the county.

Mr. MANUEL. Would you please identify that group, sir?

Mr. SMITH. It is the Klan that is meeting there in the Clayton Civic Club.

Mr. MANUEL. Is that also known as Clayton County Klavern No. 52 of the United Klans of America?

Mr. SMITH. That is correct.

Mr. MANUEL. What does the result of your investigation show as far as the year 1964—

The CHAIRMAN. Before that question, I will review what I indicated appeared to be, and I accept it to be, the situation. A group obtained, pursuant to Georgia law, a charter. Under the provisions of the law that we have in Louisiana, they could create an entity for nonprofit purposes.

That group did create the Clayton Civic Club, Inc. On its face, the charter provides for ostensibly worthy, noble, patriotic, civic purposes. I am not at all surprised, or would not be surprised, if people could join that organization based on the recitation of the charter, not knowing what it is.

This is simply another instance of a Klan group hiding behind a legal paper in the shape of a charter, whether it be a gun club, a fishing club, a civic club. They are hiding behind a phony charter and using that charter as a vehicle to cover up what, in fact, is a Klavern.

Since you are under oath and since no one has denied it, and it seems to be proven beyond the shadow of a doubt, this is such an outfit.

Proceed.

Mr. MANUEL. Chief Smith, getting back to the year 1964, do the files of your department indicate where the Clayton County Klavern was meeting for that particular year?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Would you please tell the committee where the Clayton County Klavern met during the year 1964?

Mr. SMITH. They were meeting up at Lake City, which is an incorporated town north of Jonesboro, in the community center up there.

Mr. MANUEL. Is that in the close proximity of Forest Park, which is in Clayton County?

Mr. SMITH. Yes, sir; just out of the city limits of Forest Park.

Mr. MANUEL. Chief Smith, I would like to show you a copy of a charter filed in the Superior Court of Clayton County, State of

Georgia, dated 5 January 1965, the charter for the Clayton Civic Club, Inc.

I would like to ask you, sir, what your investigation has revealed concerning the Clayton Civic Club, Inc.?

(Document handed to witness.)

Mr. SMITH. On the Clayton Civic Club, prior to them buying this property there, they was contemplating buying a house on the outskirts of Jonesboro.

(Document previously marked "Wesley Bailey Exhibit No. 1.")

Mr. MANUEL. Was this after 5 January 1965?

Mr. SMITH. No, sir; that was prior to that time.

Mr. MANUEL. And prior to the incorporation?

Mr. SMITH. Yes, sir. They bought this particular piece of property from Mr. J. C. Girard Realty Company in Jonesboro. Since they bought it, they have built onto it.

Mr. MANUEL. Let me ask you this: Prior to 5 January 1965, where did the Clayton County Klavern No. 52 hold its meetings?

Mr. SMITH. The only place I knew of was up there at Lake City Community Center.

Mr. MANUEL. After January 1965, where did they hold their meetings?

Mr. SMITH. During 1965, as far as I know, they have held all their meetings at the Civic Club there in Jonesboro.

Mr. MANUEL. Could you be more specific, Chief, as to where the Civic Club is located?

Mr. SMITH. It is located on 54 Highway, between Fifth Avenue and Piney Wood Drive.

Mr. MANUEL. Would you describe the property?

Mr. SMITH. Yes, sir. They have a long brick building there, and concrete block building, and it houses a tool and die shop in the basement. They have a grocery store operated up at the street level and a barber shop.

Mr. Bailey has an office, Wes Bailey has a law office there, and the Civic Club.

Back in the first part, or the middle of the summer, they did have an agency of the Federal Aviation, the Federal Aviation Agency. They had an office leased there. Whether they are still there or not, I don't know.

Mr. WELTNER. What agency?

Mr. SMITH. The Federal Aviation Agency.

Mr. WELTNER. The FAA?

Mr. SMITH. Yes, sir.

Mr. WELTNER. They had an office in this building?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Chief Smith, is this building and this property which you have described owned by the Clayton Civic Club, Inc.?

Mr. SMITH. To my knowledge, the best of my knowledge; yes, sir.

Mr. WELTNER. Excuse me, Mr. Manuel. It appears to me now why this charter was obtained, so that there would be a corporate entity to take title to this property.

Is that your evaluation of it?

Mr. SMITH. I am not familiar with that, why they got the charter. I couldn't say.

Mr. WELTNER. But the title is held in the name of that corporation?

Mr. SMITH. Yes, sir.

Mr. WELTNER. Thank you.

Mr. MANUEL. Chief Smith, before we proceed, would you please tell the committee how, in your capacity as chief of police of Clayton County, you have kept up or surveilled the activities of the Clayton County Klavern No. 52, which operates under the cover of the Clayton Civic Club, Inc.?

Mr. SMITH. The way I have been able to keep up through it is a lot of the members. There are a lot of good men in the organization, and I talk to them from time to time, and they come and tell me what is transpiring.

Mr. MANUEL. So that you have maintained sources inside of this particular Klavern?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Chief Smith, does your investigation show that the Clayton County Civic Club has members other than members of the Ku Klux Klan?

Mr. SMITH. I don't know of any other members.

Mr. MANUEL. Has the Clayton Civic Club, Inc., to your direct knowledge, made any attempt to obtain members who are not members of the Ku Klux Klan?

Mr. SMITH. They haven't to my knowledge.

Mr. MANUEL. To your knowledge has any person attended a meeting of the Clayton County Civic Club who was not a member of the United Klans of America and a member of the Clayton County Klavern No. 52?

Mr. SMITH. That is kind of a double question. I don't know other than the Klan—who attends; I don't know of any civic meeting they have had up there.

Mr. MANUEL. What activities has the Clayton County Civic Club engaged, in to your knowledge?

Mr. SMITH. To my knowledge, I don't know of any.

Mr. MANUEL. Other than Klan activities; is that correct, sir?

Mr. SMITH. Other than the regular Klan meeting; yes, sir.

The CHAIRMAN. May I say at this point I was very careful to say this charter could be used as an instrument to pull the wool over somebody's eyes. I just said that people not members of the Klan could well have been hoodwinked. I didn't say they were. Now it appears to be just one pure Klan unit.

Mr. WELTNER. Mr. Chairman, it appears that, conforming with your suggestion, this charter might very well have deluded individuals and might very well have served to delude the Government of the United States of America, inasmuch as apparently an agency of that Government has become a tenant of the Ku Klux Klan in Clayton County, Georgia.

Mr. MANUEL. Chief Smith, to the best of your knowledge, does the agency of the Federal Government, the FAA, currently maintain offices in the property owned by the Clayton Civic Club?

Mr. SMITH. I have information that the lease was broken, but of my own knowledge I don't know whether it was or not.

Mr. MANUEL. From your direct knowledge, would you please tell the committee how the Clayton Civic Club obtained this property, specifying the amount of money involved, if you possess such knowledge?

Mr. SMITH. All my knowledge would be hearsay from some of the members. They bought it for \$35,000. Of course, they are paying for it monthly.

Mr. MANUEL. Do you know from what source they derive their revenue to make the payments on this building?

Mr. SMITH. No, sir; I do not.

Mr. MANUEL. Chief Smith, in the document which I handed you, the copy of the charter of Clayton Civic Club, Inc., there are listed as the original incorporators a Mr. Fred Hand, of Route 3, College Park, Georgia. Do you know Mr. Hand to be a member of the Ku Klux Klan?

Mr. SMITH. Through information.

The CHAIRMAN. Through investigative information?

Mr. SMITH. Yes, sir.

Mr. MANUEL. In other words, this is information which sources within the Klan have brought to your attention; is that correct, sir?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Mr. D. [Daniel] E. Bruce, of Box 117, Jonesboro, Georgia, is also listed as an original incorporator. Do you know Mr. Bruce to be a member of Clayton County Klavern No. 52?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Mr. W. G. Bailey, of 167 Dixie Drive, Jonesboro, Georgia, is also listed as an original incorporator. Do you know Mr. Bailey to be a member of Clayton County Klavern No. 52 of the Realm of Georgia, United Klans of America?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Mr. B. J. Hand, of Route 3, Jonesboro, Georgia, is also listed as an original incorporator. Do you know B. J. Hand to be a member of Clayton County Klavern No. 52?

Mr. SMITH. Yes, but we don't have a Route 3, Jonesboro.

The CHAIRMAN. You don't have what?

Mr. SMITH. We don't have a Route 3, Jonesboro.

Mr. MANUEL. This is the information that is listed on this document. Whether it is a mistake as to the address, we don't have that information.

Mr. Henry Hand, of Johnson Road, Forest Park, Georgia, is also listed as an original incorporator. Do you know Mr. Henry Hand to be a member of Clayton County Klavern No 52?

Mr. SMITH. Yes.

Mr. MANUEL. Mr. J. W. Wells, of 125 Tanglewood Drive, Jonesboro, Georgia, is also listed as an original incorporator of the Clayton Civic Club, Inc. Do you know Mr. J. W. Wells to be a member of the Clayton County Klavern No. 52 of the Realm of Georgia, United Klans of America?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Chief, has your investigation determined how much, in the way of initiation, prospective members of Clayton County Klavern No. 52 pay?

Mr. SMITH. Yes, sir.

Mr. MANUEL. How much does a prospective member of Clayton County Klavern No. 52 pay by way of initiation fee?

Mr. SMITH. I believe they call it naturalization. It is \$15.

Mr. MANUEL. \$15 per person?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Has your investigation determined how much the monthly dues of each member is?

Mr. SMITH. \$1.50.

Mr. MANUEL. \$1.50 per member.

Has your investigation determined on the average—well, before we get into that, what is the schedule of meetings for the Clayton County Klavern No. 52?

Mr. SMITH. I couldn't give you the exact schedule. I know every third Monday night there is a naturalization night, and other than that, I just ride by—I know every third Monday night is naturalization night.

Mr. MANUEL. Approximately, or on the average, how many people attend the meetings of the Clayton County Civic Club, or the Clayton County Klavern No. 52?

Mr. SMITH. I would say anywhere from 35 to maybe 60 at the most.

Mr. MANUEL. Chief Smith, in the area of your jurisdiction, since you have been the chief police officer concerned with Ku Klux Klan activities, have there been any acts of intimidation or acts of violence committed in your area of jurisdiction?

Mr. SMITH. There hasn't been intimidation. We had an instance of crosses being burned three times. Through investigation, we found out that one of the times it was done by some high school students, and the other two times I talked to some of the members of the Klan, and they denied knowledge. Frankly, I don't believe they burned them.

Mr. MANUEL. Where were these crosses burned?

Mr. SMITH. They were burned at the school superintendent's front yard, J. E. Edmonds, just off the highway. He sits way back off the road.

Mr. MANUEL. When were these crosses burned?

Mr. SMITH. One was burned back several months ago and one last year. That is the only thing we have had since 1959, I believe it was.

Mr. MANUEL. Has your investigation determined why a cross would be burned in front of the school superintendent's property?

Mr. SMITH. No, sir. Mr. Edmonds is superintendent of the county schools and a very efficient man, but he still has a lot of—

The CHAIRMAN. Problems?

Mr. SMITH. That is right.

The CHAIRMAN. Within your investigative knowledge, and you are called here as a legal officer, could you spell out a little bit more what would appear to be the problems?

Mr. SMITH. Do you mean in the schools?

The CHAIRMAN. The superintendent's problem, vis-a-vis the cross-burning by the students.

Mr. SMITH. Mr. Edmonds is superintendent of schools, and we have presently 23,000 kids in school, and he is, I think, a real good adminis-

trator, but he is a little fiery. You see, he is an elected official and he has political enemies as well as anyone else. As far as any specific reason, I couldn't give the committee one.

Mr. MANUEL. Chief Smith, did your investigation determine that the crosses were burned at a time when there was an attempt made to integrate school facilities?

Mr. SMITH. No, sir. We integrated our school facilities back in September and we had no incidents whatsoever.

Mr. MANUEL. Chief Smith, has the investigation of your department determined who is the exalted cyclops of Clayton County Klavern No. 52?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Who is that man?

Mr. SMITH. Mr. Robert Bing.

Mr. MANUEL. Robert Bing, B-i-n-g?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Do you likewise know Mr. George Sligh, Mr. Charles Bartlett, Mr. W. B. Parr to be members of the Clayton County Klavern No. 52?

Mr. SMITH. Yes, sir.

Mr. MANUEL. And also members of the Clayton County Civic Club?

Mr. SMITH. Well, now, the civic club, I would have to clarify this. They meet there and whether they are members of the civic club or not—

Mr. MANUEL. Chief Smith, what has your investigation determined regarding the activities of Charles Bartlett?

Mr. SMITH. He is a public relations man for the Klan. Back, I believe, around the first of the year he was instrumental in that training in Henry County.

Mr. MANUEL. When you say "training in Henry County," could you be more specific on that, sir?

Mr. SMITH. Yes, sir. They had a place bulldozed out over there where they exploded some dynamite over there, and I understand, through information, that they done some small arms practice over there.

Mr. MANUEL. Was Charles Bartlett ever identified to you as the man who was in charge of the demolition training?

Mr. SMITH. Yes, sir.

Mr. MANUEL. How did you obtain this knowledge, sir?

Mr. SMITH. Through some of the members.

Mr. MANUEL. Have you ever talked directly to Mr. Charles Bartlett?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Has Mr. Charles Bartlett admitted to you that he was the demolition instructor for this training?

Mr. SMITH. He told me he exploded some over there. Back in the early part of the spring, Charles was having trouble with his eyes and he wasn't fooling with it any more.

Mr. MANUEL. But Charles Bartlett admitted to you that he had been the instructor for demolition for Klansmen; is that correct, sir?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Have you had any conversation with Charles Bartlett subsequent to his subpoena by this committee?

Mr. SMITH. Yes, sir. I talked to him in the sheriff's office about 10 days ago, and he stated to me and the sheriff that he had talked to, I thought it was, you. I understood you had been in the area. I wasn't contacted at that time. He stated to me and the sheriff that he had talked to one of the investigators and explained what action he had taken and why.

Mr. MANUEL. Did he explain to you, subsequent to receiving a subpoena, what his course of action would be before the committee?

Mr. SMITH. He didn't explain. We was talking there, and he said he was going to tell them; that he wasn't ashamed of it; didn't have anything to hide.

Mr. MANUEL. He told you he was going to be cooperative before the committee?

Mr. SMITH. No, he didn't say he was going to be cooperative. He said he was going to tell the truth. He said other than the secrets of the Klan, I believe he said, he had nothing to hide because he believes in it and he didn't have anything to hide.

Mr. MANUEL. Did he tell you specifically that he would tell the committee that he had engaged in demolition training for the United Klans of America, if he was asked?

Mr. SMITH. He said he was going to tell what part he played in it, and I thought he said Mr. Manuel asked him and he told him, asked him how he learned demolition. He told me he learned it in service.

Mr. MANUEL. We mentioned previously Mr. Daniel Bruce. From your direct knowledge, do you know that Mr. Daniel Bruce has similarly engaged in the training of Klansmen in small arms fire or judo or karate?

Mr. SMITH. I had information through the members that he was instructor in small arms. About judo and karate, I have never heard that mentioned.

Mr. MANUEL. Do you know Mr. Daniel Bruce to be a member of the klokann committee of the Clayton County No. 52 Klavern?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Is it within your knowledge to tell the committee what the duties of the klokann are as you understand them?

Mr. SMITH. No, sir; I don't know the full duties.

Mr. MANUEL. Do members of the klokann committee investigate prospective members?

Mr. SMITH. I have been told that they do; yes, sir.

(At this point Representative Pool entered the hearing room.)

Mr. MANUEL. Chief Smith, would you please tell the committee when you first learned that Clayton County Klavern No. 52 was engaging in training in demolition, judo, karate, and pistol firing, et cetera?

Mr. SMITH. I learned back the first of the year that they had a training ground down in Henry County.

Mr. MANUEL. Our investigation reveals that as far back as sometime in 1963 they started these activities. Well, actually 1961. But the Clayton County Klavern specifically in 1963. You state that your information started in this regard around the first of this year, 1965; is that correct?

Mr. SMITH. Yes, sir. It could have been a little before the first of the year. It was around the first.

Mr. MANUEL. Has your investigation determined exactly where this training was held?

Mr. SMITH. I have been told by the members. I have never been there. I might add this: After the *Saturday Evening Post* ran the article, that was in Clayton County, I contacted a boy—well, a boy contacted me from the *Atlanta Journal*, and I told him and he went down there to it. I told him it was not in Clayton County; it was in Henry County.

Mr. MANUEL. Where, specifically; on whose property?

Mr. SMITH. They tell me on Mr. Bing's farm.

Mr. MANUEL. That is Mr. Robert L. Bing, who is the exalted cyclops of Clayton County Klavern No. 52; is that correct?

Mr. SMITH. Yes, sir.

Mr. MANUEL. As you stated for the record, Henry County, where the training exercises have taken place, is not in your area of jurisdiction; is that correct, sir?

Mr. SMITH. That is correct.

Mr. MANUEL. Chief Smith, what has your investigation revealed concerning the collection and use of firearms by members of the Clayton Klavern No. 52?

Mr. SMITH. I don't have any knowledge of them collecting firearms. Of course, I do know a lot of them have pistols and hold a pistol totor's license, but as far as collection of firearms, I don't have any knowledge of collecting them.

Mr. MANUEL. How does a Klansman go about obtaining a pistol totor's license?

Mr. SMITH. He has to go to the ordinary of the county, and the ordinary will fill in a blank form for application. Then he brings it down to the police department or the sheriff's department and he is fingerprinted.

Our records are searched for a criminal record. If he has a criminal record, we will attach it to the sheet, and he has to take it back to the ordinary. And if he has a record, the ordinary will not issue him a pistol totor's license. I believe Joe Ames started that about 3 years ago.

Mr. MANUEL. In applying for a pistol totor's permit, is it required to make a statement concerning character, reputation, or past criminal background?

Mr. SMITH. That, I wouldn't know, because on the application all we do is process it and see if he has a criminal record, fingerprint him, and send the prints in to the FBI here.

Mr. MANUEL. Can a person with a past criminal record obtain a pistol totor's license in Clayton County?

Mr. SMITH. According to the judge, no. You see, the judge issues them.

Mr. MANUEL. Is it required that a person state his membership in the Klan in order to obtain a pistol totor's license?

Mr. SMITH. I do not know.

Mr. MANUEL. Chief Smith, yesterday the committee heard testimony from Chief Leo Blackwell, of Griffin, Ga., and the question was raised to Chief Blackwell concerning his recommendations or his opinions on registration of firearms in order to aid law enforcement officers.

Would you tell the committee now what your feelings are with regard to the present laws and any recommendations you might make as a law enforcement officer to aid in your duties in regard to prospective registration or control of firearms?

Mr. SMITH. Yes. I would like to go back a little bit, though, and explain why. You see, in Georgia you can carry a pistol in your glove compartment or under the seat, and most judges will uphold the man. We have holdup men and all types of criminals, and all they have to do is just lay a pistol under the seat or in the glove compartment and they ride around until they get ready to hold up or shoot somebody.

I favor a national registration and control of them, because three fourths of the criminal element has pistols and if they have to register them, if you can catch them in the automobile or illegally, you have a case on them. The way it is now, you do not have a case.

The CHAIRMAN. Would you mind registering your own pistol?

Mr. SMITH. No, sir. I don't think anyone would.

The CHAIRMAN. I didn't think you would.

Mr. SMITH. I don't think any man who owns a pistol and is in a legal business would mind; or any citizen.

Mr. POOL. Do you think it is all right to register them and it is all right to own them? You don't say they shouldn't own pistols?

Mr. SMITH. No, sir; I think they should be registered.

Mr. POOL. New York State has the Sullivan Act, I believe, and you can't possess a pistol. Is that correct for New York?

Mr. SMITH. Unless it is registered. I believe that is right. You can possess one if it is registered up there, if I am not mistaken.

Mr. POOL. I am not familiar with the law. But I was under the impression that you couldn't even own one.

Mr. SMITH. No, sir; I think you can, but it has to be registered.

Mr. POOL. You have to have a permit from the police department in New York, I have been informed, regardless of registration.

Mr. SMITH. It would be a big aid to us.

Mr. POOL. Would you go that far? That is what I am getting at. Would you require that they have a permit?

Mr. SMITH. I would like a permit and all guns to be registered. Then if you have a crime committed where a weapon was used, you would have some leads to go on.

Mr. POOL. You see, you have opposition from these hunters and people like that, especially in the West.

Mr. SMITH. I think the National Rifle Association has built up a good bit of opposition on it, too.

Mr. POOL. You wouldn't go as far as to say they shouldn't have a permit from the police department before they could own a gun?

Mr. SMITH. No, sir; I think they ought to be registered.

Mr. POOL. As long as they are registered, you think that would take care of it?

Mr. SMITH. Yes, sir.

The CHAIRMAN. Sheriff, I am not an expert on this subject and I don't know exactly how to phrase the question because of that fact. Chief Blackwell yesterday described a weapon that had been used in Griffin, Georgia, I think, to point at people while their cohorts were burning a cross, and described that particular weapon as looking like a submachine gun, but that it was single shot.

In other words, you would pull the trigger for each shot. I have since been advised, however, and I want to ask you about it, that that particular arm, that particular weapon, is so designed that by filing down something around the triggering device you can make it automatic, and it would pop off like an automatic.

Are you familiar with that kind of weapon? Do you know of that?

Mr. SMITH. Yes, sir. We also have our—

The CHAIRMAN. Describe that one. How can it be converted from a single shot to an automatic?

Mr. SMITH. You file some mechanism in there. I don't know. Some of my men know how to do it. I have some carbines bought through Army surplus and you can file an Army carbine, they were semi, and make them fully automatic. There are several types of guns that were used in the war and you can file the mechanism and they will be fully automatic rather than semi.

The CHAIRMAN. As I understand, submachine guns are so equipped that you can trip a trigger or a slide and make it a one-shot weapon and when you remove that it becomes automatic.

Mr. SMITH. That is the M-2 carbine, I believe, that you are talking about.

The CHAIRMAN. The point is, as I understand, that the automatic submachine guns are registerable under Federal law, but those that are single shot, I suppose classified as a rifle or something, are not.

It seems to me that the manufacturer could see to it that if you want an automatic submachine gun you have it, since you just have to file something.

Mr. SMITH. Mr. Chairman, our worst trouble has been the importation of these old guns from across the waters. We have had more people shot and killed, I would say, in the United States, with these \$12.00, .22 single-shot German pistols. You can buy them for \$12.00 retail and probably get them for \$6.00 on the market if you want to get them wholesale.

There have been more people killed, I would say, across the country, with them than any other weapon. But you can buy these Army surplus, the old British, all types of foreign guns that have been sent in here. You can't go to a farmhouse that hasn't got some type of weapon.

The CHAIRMAN. The distinction between the submachine gun described and one that can be made into one, as I understand, is that with the type used in the Army you can switch from automatic to single shot, but with this one—if you filed it—it would be permanently an automatic; is that correct?

Mr. SMITH. That is correct; yes, sir.

Mr. WELTNER. I think these weapons that were confiscated temporarily in Spalding County were .45 caliber weapons and the clips had been taped together so that there would be 150 rounds of ammunition that could be fired single shot unless the pin was filed down to make them automatic.

Mr. SMITH. Yes, sir. I talked to Leo about that at the time and after that we discussed those guns.

Mr. WELTNER. Is there any sporting use of a .45 caliber submachine-gun type weapon?

Mr. SMITH. I wouldn't know of any. It would be rightly expensive to shoot.

Mr. WELTNER. Is there any game in Clayton County or Spalding County or Fulton County that takes a .45 caliber slug to bring down?

Mr. SMITH. I don't know of any.

Mr. WELTNER. That is, other than human game?

Mr. SMITH. I don't know of any game.

Mr. WELTNER. You don't have a lot of bears down in your county; do you?

Mr. SMITH. There is not any that I know of.

Mr. POOL. I do want to ask one further question. Do you have any idea, from talking to your men, how long it takes to file this pin down to make it automatic?

Mr. SMITH. It is just a very simple matter.

Mr. POOL. Two or three minutes?

Mr. SMITH. It might take 30 minutes.

Mr. POOL. Thirty minutes?

Mr. SMITH. Yes, sir. Now, you can do this: Those parts, most of the gunsmiths have them, and you can buy the part and make it interchangeable, the automatic is interchangeable with the semiautomatic. You don't have to file them down.

Mr. POOL. You could carry the part along with you?

Mr. SMITH. You could have; yes, sir.

Mr. POOL. Separate from the gun. It would be a 1-minute change or something like that.

Mr. SMITH. I don't know, but it wouldn't take too long. We have an outfit in Florida, and some of you are probably familiar, which is buying these M-1's and cutting them down to where they are only about that long (indicating), and they are still legal. They have a pistol grip on an M-1 carbine and it will shoot 30 times.

Mr. POOL. Do you have any recommendations regarding these weapons shown in the picture presented yesterday as to Federal laws concerning that kind of a weapon, since they can be converted into an automatic almost immediately?

Mr. SMITH. Yes, sir. I don't think the public needs that type of gun, period.

The CHAIRMAN. However, if you will pardon me, whether you use the gun as a single shot or a multiple shot, if you are hit you are a candidate for the pearly gates anyway; aren't you?

Mr. SMITH. Yes, sir; with that .45 caliber if you are hit anywhere in the body, you are in bad shape.

Mr. MANUEL. Chief Smith, I would like to ask you, to your direct knowledge, are there any subordinates in your department in the Clayton County Police Department, or any member of the sheriff's department who are members of the Ku Klux Klan?

Mr. SMITH. No, sir.

Mr. MANUEL. To your direct knowledge, are any officials of Clayton County members of the Ku Klux Klan?

Mr. SMITH. Not to my knowledge.

Mr. POOL. Any of the relatives of any of the officials who are members of the Ku Klux Klan?

Mr. SMITH. To my knowledge, I don't know of any. There might be, but I haven't tried to break it down. I don't know of any.

Mr. MANUEL. Chief Smith, to your direct knowledge, is any former law enforcement officer in Clayton County a member of the Klan?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Would you please identify that man and give his past position?

Mr. SMITH. We have a former sheriff that is a member of the Clayton County Civic Club.

Mr. MANUEL. Who is that, sir?

Mr. SMITH. W. Lloyd Dixon.

Mr. MANUEL. Is he currently active in the Klan organization?

Mr. SMITH. He is attending the meetings; yes, sir.

Mr. MANUEL. Up until what point in time was he the sheriff of Clayton County?

Mr. SMITH. Up until January the 1st of this year.

Mr. POOL. Was he a member of the Ku Klux Klan before that time, while he was sheriff?

Mr. SMITH. Yes, sir; but of a different Klavern and a different Klan. He was with another, the College Park Klan.

Mr. POOL. Do you know the name of it.

Mr. SMITH. No, sir. It was the College Park Klan. H. J. Jones was one of the wheels in it.

Mr. POOL. The predecessor of the one they have now?

Mr. MANUEL. May I state for the record, Mr. Pool, that the Klan organization to which Chief Smith now refers is the U.S. Klans, Knights of the Ku Klux Klan, of which H. J. Jones was, as of our best information, the Imperial Wizard?

Mr. POOL. What was the name of the Klan when this man was sheriff that he is talking about?

Mr. MANUEL. As I understand it from Chief Smith, he has held dual membership. He, at one time, was a member of the U.S. Klans which met in College Park, which is in Fulton County, and as of the chief's latest information he meets now with the Clayton Civic Club or the Clayton County Klavern No. 52, which is a part of the United Klans of America.

Mr. POOL. For the record, what was the name of the Klan before January 1?

The CHAIRMAN. You are talking about the Klavern?

Mr. POOL. The Klavern.

Mr. MANUEL. January 1st of this year? Clayton County Klavern No. 52 of the United Klans of America, Realm of Georgia.

Mr. POOL. And that is the one that he just testified that the sheriff belonged to when he was sheriff?

Is that correct?

Mr. SMITH. No, sir. Prior to coming with the Clayton County Klan No. 52, he was with a Klan, Jones' U.S. Klans, which met in College Park. What Klavern number, I don't know, because it was in another county.

Mr. POOL. It wasn't in your county?

Mr. SMITH. No, sir.

Mr. MANUEL. Chief Smith, since his departure from the job of sheriff in January of this year, does the ex-sheriff hold any honorary police position in Clayton County?

Mr. SMITH. Not to my knowledge; no, sir.

Mr. MANUEL. Our investigation reveals that Mr. George Sligh, whom you have identified as a member of Clayton County Klavern No. 52, holds an honorary position with the sheriff's department in Fulton County and in Clayton County. Is that information correct, to the best of your knowledge?

Mr. SMITH. Yes, sir. Aside from being an insurance salesman, he also works for Pinkerton Detective Agency, and he has to have a special police permit to work for that agency.

Mr. MANUEL. To your knowledge, in applying for the position with the police agency, did he make known his membership in the Ku Klux Klan?

Mr. SMITH. I don't have any knowledge, because he is with the sheriff of Clayton County and the sheriff of Fulton County, and I haven't any knowledge whether he did or did not.

Mr. MANUEL. To your direct knowledge, other than Mr. Sligh, are there any other Klansmen who hold similar positions in either Clayton County or Fulton County?

Mr. SMITH. No, sir. I don't have a list of the special deputies at my disposal. I could get it. I have never asked for them. As far as I know, he is the only one.

Mr. MANUEL. Are there any special deputies attached to your particular department whom you know to be members of the Klan?

Mr. SMITH. I only have one special police and he is with the tax department in Atlanta.

Mr. MANUEL. And he is not a member of the Klan, to the best of your knowledge?

Mr. SMITH. No, sir. He works for the State of Georgia.

Mr. MANUEL. Mr. Chairman, I have no further questions.

Mr. WELTNER. Chief Smith, I want to thank you for your appearance here today. It is with considerable pride that I, as a fellow Georgian, note your appearance.

I have this question to ask to you as a law enforcement officer. Under the law of Georgia, any person who has knowledge of the commission of a crime is under a duty to report that to the duly constituted authorities. Under our law, failure to report a crime, having knowledge of it, can result in compounding the felony or misdemeanor; is that correct?

Mr. SMITH. Yes, sir.

Mr. WELTNER. So it is the duty of all citizens to report to the proper authorities any infractions of the law of which they have personal knowledge.

I would like to read to you sections of a Klan oath which has previously been placed into the record, and to inquire of you on the basis of this. I am reading from page 1 which says:

I most solemnly swear that I will forever keep sacredly secret * * * any and all other matters and knowledge * * * communicated to me and will never divulge same nor even cause same to be divulged to any person in the whole world unless I know positively that such person is a member of this Order, in good and regular standing, and not even then unless it be for the best interest of this Order.

Then it skips down and says: "I will die rather than divulge same."

On page 3, the oath of allegiance to the Klan, states:

I swear that I will keep secure to myself a secret of a [Klan]*sman when same is committed to me in the sacred bond of [Klan]*smanship—the crime

of violating THIS solemn oath—treason against the United States of America—rape—and malicious murder—alone excepted.

If that is an oath taken by members of the Klan, I would like to ask you whether, in your opinion as a law enforcement officer, that oath is consistent with the duty of a citizen to report crimes and infractions of law over which he has knowledge?

Mr. SMITH. As long as a fellow Klansman doesn't commit it, I reckon it would be all right. But if a fellow Klansman commits a crime, if he keeps that oath he certainly wouldn't report it.

(Document previously marked "Robert Shelton Exhibit No. 4.")

Mr. WELTNER. A Klansman, then, would be under an oath not to report any infractions or crimes with these exceptions?

Mr. SMITH. That is the way I interpret it.

Mr. WELTNER. Would it be your opinion, then, that a law enforcement officer who also takes an oath could consistently be faithful to his oath as a law enforcement officer and his oath as a Klansman?

Mr. SMITH. No, sir; he couldn't.

Mr. WELTNER. Thank you.

Mr. SMITH. There would be a conflict there.

Mr. WELTNER. Sir?

Mr. SMITH. There would be a conflict. He couldn't.

Mr. WELTNER. It would be an irreconcilable conflict?

Mr. SMITH. Yes, sir.

Mr. WELTNER. Thank you very much, Chief Smith. Again, I appreciate your being here.

Mr. BUCHANAN. I want to thank you for your testimony, Chief, and say that I am very shocked to learn that an agency of the Federal Government is subject to error, as apparently was the case in this rental of space from the Ku Klux Klan.

Thank you for your testimony.

The CHAIRMAN. Sheriff, before you go, you did say that you thought the lease was broken. Would you have any idea how long ago it was that the FAA broke the lease or got away from it?

Mr. SMITH. I believe—

The CHAIRMAN. Just your best approximation.

Mr. SMITH. Approximately 4 months ago.

The CHAIRMAN. Of course, we would have to ask them direct, and are very, very likely to do so.

Within your investigative knowledge, is it your understanding that the lease was broken because the FAA found out that they were leasing from a Klan Klavern? Did you hear that?

Mr. SMITH. Yes, sir.

The CHAIRMAN. That is, in the investigative part of your duty.

Mr. SMITH. Yes, sir; that is right. I heard it was broken because they found out it was a Klan Klavern.

The CHAIRMAN. Sheriff, I, too, want to add my words of commendation to you. You are a credit to the law enforcement agencies of the State of Georgia and the county that you so ably represent.

We appreciate your appearance. I know you might have problems, but I am tempted to ask you this and I will: You are not afraid of anything happening to you, are you, because you testified here?

Mr. SMITH. No, sir. I might add this: As long—with some of the men that is in that Klan down there, I don't anticipate any trouble?

The CHAIRMAN. I do know from what has been established and from information coming to us that some people, some members, really do honestly feel some elements of fear. But as time goes on, I am quite sure they will feel like you do.

Mr. POOL. Mr. Chairman, I want to also thank the chief for appearing and commend him for giving us his testimony.

I will ask you one last question, which is this: From your experience and from talking to people in the South, would you say that most of the good citizens of the South do not want any part of the Ku Klux Klan?

Mr. SMITH. Well, a Klan is a very small minority. Of course, the membership has grown in the last few months.

Mr. POOL. But most of the people of the South are law abiding and deplore acts of violence, bombings, and things like that, and certainly the only people that get into it are either misguided or are people who are not good citizens?

Mr. SMITH. I will have to back up. I believe, and, of course—

Mr. POOL. I say misguided.

Mr. SMITH. Well, you say misguided. I wouldn't say they wasn't good citizens, because some of them are.

Mr. POOL. The good ones are misled?

Mr. SMITH. Yes, sir.

Mr. POOL. Thank you very much.

Mr. MANUEL. Chief Smith, I would like to ask you just one more question. Have you ever heard of an organization called NACIREMA, INC.?

Mr. SMITH. Yes, sir.

Mr. MANUEL. Would you please give the committee a brief account of your knowledge of that organization?

Mr. SMITH. My knowledge is very slim on it because it originated back in, I would say, the early part of 1960 and was supposed to have originated up in Cobb County, around Mableton, Georgia. They have a few bombings in 1960 and 1961 that was attributed to them in DeKalb and Fulton County. Some of the men that was supposed to be the head of it were in Atlanta, there.

Mr. MANUEL. Is it your knowledge that members of NACIREMA, INC., were either members or former members of the Ku Klux Klan?

Mr. SMITH. Yes, sir.

The CHAIRMAN. Chief, you are excused and we appreciate your appearance.

The committee will stand in recess until 1:45.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 11:18 a.m., Wednesday, November 3, 1965, the subcommittee recessed, to reconvene at 1:45 p.m. the same day.)

AFTERNOON SESSION—WEDNESDAY, NOVEMBER 3, 1965

(The subcommittee reconvened at 2:10 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, and Weltner.)

The CHAIRMAN. The subcommittee will come to order.

The Chair first wants to state that, through inadvertence, I failed to say that the last witness, Chief Smith, is continued under subpoena until January 1, 1966. We have other matters to take up with him.

Proceed.

Mr. MANUEL. Mr. Chairman, at this time the staff wishes to call Mr. Charles Bartlett.

(At this point Mr. Buchanan entered the hearing room.)

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BARTLETT. I do, sir.

TESTIMONY OF CHARLES MALCOLM BARTLETT, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. CHALMERS. Mr. Chairman, before we proceed with this witness, may I state to the chairman that I have a subpoena for Mr. Joseph Marvin Holland. He forwarded it to me yesterday by mail, special delivery, and asked that I represent him in connection with a matter before the committee.

I spoke to Mr. Appell earlier this morning and I think I spoke to the chairman yesterday. I have here a doctor's certificate from Dr. Charles G. Green, of Waynesboro, Georgia, who states as follows:

J. M. Holland has been ill for one year. Due to physical conditions, it would be harmful for this patient to travel to Washington, D.C., to appear before the Committee on Un-American Activities.

It is signed "C. J. Green."

I talked with Dr. Green at lunch today, during the lunch hour, and I explained to him the necessity for the witness' appearance if he was at all available to do. Dr. Green explained to me that the witness is suffering from a severe heart condition and that he flatly thought that it would jeopardize his health, and possibly his life, if he were put under such a strain to come up and physically be present and to testify.

I would like to say, sir, if he can be excused, I would appreciate it. If the committee feels like his testimony is such that you could prepare interrogatories for him, I would be happy to see if we couldn't work it out some way or another to have the interrogatories propounded to him and his answer given. It is certainly not an attempt on his part, and I feel the chairman knows it is no attempt on my part—

The CHAIRMAN. You did talk to me about this late yesterday afternoon, and I asked you, in addition to this little doctor's certificate, to phone the doctor to verify the facts and to let me know. You have done that. Of course, the individual—what is his name?

Mr. CHALMERS. Mr. J. M. Holland.

The CHAIRMAN—Mr. Holland would not be expected to report on the date which the subpoena calls for him to be here, which is November 5.

Therefore, looking to all angles of it, at this time he is excused from that subpoena, but I will continue the subpoena, and I wish you would tell him that, until January 1. We will see what happens.¹

Mr. CHALMERS. Thank you, Mr. Chairman.

The CHAIRMAN. You will communicate that to him?

Mr. CHALMERS. Yes, sir. I will contact him this afternoon.

The CHAIRMAN. Proceed.

Mr. MANUEL. Please state your full name for the record, sir.

Mr. BARTLETT. Charles Malcolm Bartlett.

Mr. MANUEL. Are you represented by counsel?

Mr. BARTLETT. Yes.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Bartlett, when and where were you born?

Mr. BARTLETT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on the 16th day of November 1926.

Mr. BARTLETT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are a native of Atlanta, Georgia.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, where do you currently reside, sir?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you currently reside at 292 Conley Road, Forest Park, Georgia.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, what is your occupation?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you are employed as a bulldozer operator for the B & B Grading Company.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, are you currently a member of the United Klans of America?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Have you engaged in training persons known to you to be members of the United Klans of America in demolition exercises and the use of firearms, military training, judo, and karate?

¹ Not called as witness due to physical condition.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, at this point I would like to state for the record that investigation conducted by this committee shows that Mr. Bartlett is currently a member of the Realm of Georgia, United Klans of America; further, that he holds the position of grand klarogo of the Realm of Georgia and has held that position at least since July of 1965; that he is a member of Clayton County Klavern No. 52.

Our investigation further shows that Mr. Bartlett has acted as an instructor in training Klansmen in the use of firearms, explosive, military-type training, and judo.

Mr. Bartlett, I put it to you as a fact, and ask you to affirm or deny the fact, that the results of the committee's investigation are correct.

Mr. BARTLETT. I respectfully decline to answer that—

Mr. MANUEL. Excuse me. Before you answer that, Mr. Bartlett, I would like to state further for the record that the committee investigation shows that you are also the titan of Province 6 of the Realm of Georgia, United Klans of America.

Now, including that and the other results of our investigation. I put it to you as a fact, and ask you to affirm or deny the fact, that the results of our investigation are correct.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Buchanan left the hearing room.)

Mr. MANUEL. Mr. Chairman, I would further like to state for the record that as of the 11th day of October 1965, Mr. Bartlett held the position which our investigation shows he did hold at that time.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. BARTLETT. I respectfully decline to answer that question based upon the ground previously stated.

Mr. MANUEL. Mr. Bartlett, are you appearing before the committee today in response to a subpoena served upon you by Deputy Marshal Allen, at 9 o'clock p.m. on the 11th day of October, 1965, at 292 Conley Road, Forest Park, Georgia?

Mr. CHALMERS. Mr. Chairman, it is so stipulated.

The CHAIRMAN. Thank you, Mr. Chalmers.

Mr. MANUEL. Mr. Bartlett, paragraph 1 of your subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Men's Club, Clayton County Klavern #52 and the Clayton Civic Club, Inc. in your possession, custody or control, or maintained by you or available to you as Grand Klarogo, Realm of Georgia, Titan Province #6, Realm of Georgia, and judo, firearms and demolition instructor, Realm of Georgia of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you now, sir, to produce those items called for in paragraph 1 of your subpoena.

Mr. BARTLETT. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated

October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by the Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Counselor, I offer to make the following stipulation along the lines of those previously entered into: (1) That the witness has been furnished with a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Mr. CHALMERS. Yes, sir; it is so stipulated.

The CHAIRMAN. Therefore, Mr. Bartlett, since we have not agreed to the reasons you have indicated for refusing to produce the documents, I now order and direct you to produce them.

Mr. BARTLETT. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, paragraph 2 of your subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Grand Klarogo, Realm of Georgia, Titan Province # 6, Realm of Georgia, and judo, firearms and demolition instructor, Realm of Georgia of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask you, sir, to produce the documents called for in paragraph 2 of your subpoena.

Mr. BARTLETT. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

The CHAIRMAN. Is the same stipulation agreed to?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. For the reasons previously given, Mr. Bartlett, I order and direct you to produce these documents.

Mr. BARTLETT. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, did you attend the State convention of the United Klans of America, Realm of Georgia, held in Savannah, Georgia, in July 1965?

Mr. BARTLETT. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me

in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. I put it to you as a fact, sir, that you did attend that State convention and that you were elected at that convention to the office of grand klarogo for the Realm of Georgia, United Klans of America.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Our investigation shows, Mr. Bartlett, that at that convention in July of 1965 in Savannah, Georgia, the following persons were elected to office within the Realm of Georgia, United Klans of America:

Calvin F. Craig, of Atlanta, was elected to the position of Grand Dragon; Thomas Jenkins of Lithonia, Georgia, was elected to the position of Grand Klaliff; John M. Parker of Roswell, Georgia, was elected to the position of grand kligrapp; James D. Newberry of Atlanta was elected to the position of grand klabee; Grady C. Little of Doraville, Georgia, was elected to the position of grand kladd; John L. Brock of DeKalb County, Georgia, was elected to the position of grand klokard; Cleveland Eugene Canup of Lilburn, Georgia, was elected to the position of grand klexer; J. D. Johnson, of Stone Mountain, Georgia, was elected to the position of grand kludd; and David J. Mathis of Lawrenceville, Georgia, was elected to the position of grand night-hawk.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, were you present in the hearing room today when Chief Howard Smith of Clayton County, Georgia, testified? (Witness confers with counsel.)

Mr. CHALMERS. Mr. Chairman, upon my advice, he was not here this morning.

Mr. CHAIRMAN. Proceed.

Mr. MANUEL. Chief Smith testified this morning, Mr. Bartlett, that approximately 10 days ago he personally had a conversation with you in his office in Jonesboro, Georgia. Is this testimony correct?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. During the course of that conversation, Chief Smith stated that you advised him that you had nothing to hide and that you would come to the committee as a subpoenaed witness and tell what you knew about the Klan organization. Is that testimony correct?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Buchanan returned to the hearing room.)

Mr. MANUEL. Chief Smith further testified that in another conversation which he personally had with you, you admitted to him that you were the demolition man for the United Klans of America, Clayton County Klavern No. 52, and that you had conducted for Klansmen certain explosive demolition instructions. Is that testimony correct?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Chief Smith further testified that you had told him that you had given that same statement, or words to that effect, to an investigator of this committee. Is that testimony correct?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Chief Smith further testified that it was his recollection of the conversation that the name of Investigator Manuel of the Committee on Un-American Activities came up and that it was his recollection that you had told him that you told Investigator Manuel that you were the demolition man for the United Klans of America, Clayton County Klavern No. 52. Is that testimony correct?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Have you had, as a matter of fact, any conversation whatsoever with Investigator Manuel of the House Committee on Un-American Activities?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you never had any conversation with Investigator Manuel of the House Committee on Un-American Activities, who happens to be, if you don't know, myself.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Sir, I put it to you as a fact, and ask you to affirm or deny the fact, that you are the instructor in explosives, military-type training, judo, firearms, and karate for the Clayton County Klavern No. 52.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Our committee investigation shows that on October, 17, 1964, Clayton County Klavern No. 52, United Klans of America, Inc., sponsored a demolition school on the farm of Robert L. Bing, located near Highway 138 in Henry County, Georgia.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that Robert L. Bing is the exalted cyclops of Clayton County Klavern No. 52.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Our investigation reveals that on that occasion you were the instructor and you explained in the course of your instruction that a Klansman should know sabotage and demolition work in the event our country is ever invaded and taken over by an enemy, in which case you stated the Klan would have to work underground.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I wonder at this time, Mr. Bartlett, if you would tell the committee exactly who is the enemy that you were explaining to the Klansmen so gathered on Robert Bing's farm?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Our investigation further shows that on that same afternoon, and continuing with the same line of conversation and instruction, you said that one of the most important things about an underground organization is communications and organizational setup. At that time you showed a chart which depicted the setup of an underground group and you read from several printed pages.

I wonder if you would identify for the committee the printed book, the book from which you were reading?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I would like to ask you where is the chart from which you depicted the setup of an underground group?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Our investigation further reveals that later in the demonstration you explained how to make a booby trap and you actually set one off, with a string across a make-believe road. You connected the string to clothes pins which, in turn, were connected to a battery and several sticks of dynamite which had been buried about 150 feet away in a field.

A volunteer Klansman tripped the string and the dynamite in the field exploded.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. It is within your knowledge to state, sir, whether exploding dynamite in the State of Georgia is against the law?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do you know Daniel Bruce to be likewise an instructor in small arms fire, judo, karate, and demolition equipment and to be a member of the Clayton County Klavern No. 52?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that Daniel Bruce has assisted you in the instruction of explosive devices, small arms fire, judo, and karate.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, I would like to inquire of you now as to your background which enables you to be an instructor of explosive devices, judo, karate, and small arms fire.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, are you a member of an organization known as the Clayton Civic Club, Inc.?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the Clayton Civic Club, Inc., is a cover for Clayton County Klavern No. 52 and all the incorporators and officers of Clayton Civic Club, Inc., are also officers and members of Clayton County Klavern No. 52.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, I would like to show you a copy of a directive sent from Calvin F. Craig, Grand Dragon, Realm of Georgia, headed "United Klans of America, Inc., Knights of the Ku Klux Klan, P.O. Box 10753, Atlanta, Georgia," dated January 17, 1965, and reading as follows:

Esteemed Klansmen:

We will start Judo, Karate, and Rifle and Pistol firing training on Monday, January 25, 1965 at the Henry County #60 Klavern.

Four (4) trophies have already been purchased by Klayton #52 Klavern. There will be a trophy for each of the above classes.

Everyone who participates in the training MUST sign a release of all responsibilities.

Each participant will pay \$2.50 to cover 2½ months of training. This training is sponsored by Klayton #52. Contact #52 for any further information.

It is not signed but imprinted "I.T.S.U.B., Calvin F. Craib, Grand Dragon, Realm of Georgia."

Sir, I hand you a copy of this directive and ask if you have ever seen or received a similar copy?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Calvin Craig Exhibit No. 1." See p. 2161.)

Mr. MANUEL. Mr. Bartlett, who appointed you to be the demolition instructor and also the instructor in military training, small arms fire, judo, and karate, which position you actually did hold?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you act as the demolition instructor and also the instructor in rifle, pistol, judo, karate, and military type training with the knowledge and consent of Grand Dragon Calvin F. Craig of the Realm of Georgia?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that Calvin F. Craig knew of and approved of your being the instructor as I have outlined.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did Robert L. Bing, the exalted cyclops of Clayton Klavern No. 52, have knowledge of your acting as instructor in matters which I have previously described?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that Robert L. Bing knew of and consented to

being an instructor to Klansmen in the matters that I have previously identified.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bartlett, I would like now to show you a photograph taken by members of the Atlanta Police Department picturing Charles M. Bartlett and George Sligh. This picture was taken at a United Klans rally on the outskirts of Atlanta in September of 1965.

I show you this photograph, sir, and ask you whether you are pictured therein and whether this was taken at a United Klans of America rally?

(Photograph handed to witness.)

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Is the other person, identified as George Sligh in this photo, known to you to be a member of the United Klans of America, Clayton County Klavern No. 52?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

(Photograph marked "Charles Bartlett Exhibit No. 1" appears on p. 2295.)

Mr. MANUEL. Mr. Chairman, at this time the staff has no further questions of this witness.

The CHAIRMAN. Mr. Bartlett, Mr. Manuel brought out that you had stated that you were giving this course of instructions in order to enable members of the Klan to participate underground in the event of an attack by the enemy or an enemy.

Why would you and members of the Klan want to go under ground in case of an attack on this country by anyone?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. If there was an attack made on this country by anyone, wouldn't you want to defend it openly?

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. POOL. Mr. Bartlett, in view of your refusal to cooperate, I thought I might point out to you that the power of Congress to investigate anything such as this, the Ku Klux Klan, has been upheld by the Supreme Court of the United States. In fact, the first congressional investigation took place about 3 years after the adoption of the Constitution which you so readily rely upon, the fifth amendment of it. Alexander Hamilton, the Secretary of the Treasury, was investigated one time by Congress. Gerhart Eisler was investigated by this very same committee and skipped out. The Teapot Dome was a congressional investigation. Alger Hiss, the German-American Bund, the Costello underground investigation, the Kefauver drug investigation—all of these things have been done by Congress and this is a committee of Congress sitting here asking you questions, and you are taking the fifth amendment on a very simple question, such as where you were born, and this question that the chairman just put to you.

Frankly, I don't think you look very good to the American people when they read about these things in the paper, all of you gentlemen coming here and taking the fifth amendment all the way through.

CHARLES BARTLETT EXHIBIT No. 1



Photograph of (1) Charles M. Bartlett and (2) George Sligh, taken at a United Klans rally on outskirts of Atlanta, Ga. in September 1965.

I would hope that you would cooperate with this committee if you have any voluntary statements to make. Maybe you would like to do it that way.

The power of this committee to investigate is based upon the power of Congress to make laws on the recommendations of this committee, to amend laws, to inform the people, and also to look into oversights in the administration of laws and things like that.

It is a very serious purpose we are here for. I certainly would think that you, if you consider yourself a good American citizen, would cooperate with the Congress and cooperate with this committee, which is an arm of the Congress.

Do you have any further statement to make to this committee?
(Witness confers with counsel.)

Mr. POOL. I guess he hasn't any, Mr. Chairman.

The CHAIRMAN. I think that is in the form of a question.

Mr. BARTLETT. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Chairman, there was some question raised by the questioning of the investigator as to whether he, Mr. Manuel, had ever had conversation with Mr. Bartlett. In order that we might have some affirmative evidence on that, I should like to inquire of Mr. Manuel, and he is still under oath, as to whether or not he has ever had any conversation with Mr. Bartlett.

Mr. MANUEL. Sir, I stated for the record that I had none.

Mr. WELTNER. That is all I had, Mr. Chairman.

Mr. BUCHANAN. Mr. Chairman, I will simply say, in line with what Mr. Pool was saying, that we are here representing the Congress and as Members of the Congress we represent the people of the United States. What we seek to do here is something we are doing for the people of the United States, and he that shows contempt for this committee is in fact showing contempt for the people of this country.

The CHAIRMAN. The witness is excused and released from his subpoena.

Call your next witness.

Mr. MANUEL. Mr. Chairman, at this time I would like to call to the stand Mr. Daniel Bruce.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRUCE. I do.

The CHAIRMAN. Proceed.

TESTIMONY OF DANIEL EDWARD BRUCE, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. MANUEL. Mr. Bruce, would you please state your full name for the record, sir?

Mr. BRUCE. Daniel Edward Bruce.

Mr. MANUEL. Are you represented today, Mr. Bruce, by counsel?

Mr. BRUCE. Yes.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Bruce, where do you currently reside?

Mr. BRUCE. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Sir, when and where were you born?

Mr. BRUCE. I respectfully decline to answer that question on the grounds previously stated.

Mr. MANUEL. Mr. Bruce, are you currently a member of a Ku Klux Klan organization?

Mr. BRUCE. I respectfully decline to answer that question on the grounds which I previously stated.

Mr. MANUEL. Mr. Chairman, at this point, I would like to state for the record that, as of the 11th day of October 1965, our investigation shows that Mr. Bruce is a member of the United Klans of America, Realm of Georgia; further, that he is a member of the Clayton County Klavern No. 52, and an original incorporator of the Clayton Civic Club, Inc.; and that he has acted as demolition, judo, and firearms instructor for Klansmen of the United Klans of America, Realm of Georgia.

Mr. Bruce, I put it to you as a fact, and ask you to affirm or deny the fact, that the results of the committee investigation as I have outlined them are correct.

Mr. BRUCE. I respectfully decline to answer that question based upon the grounds which I have previously stated.

Mr. MANUEL. Mr. Bruce, are you appearing before the committee today in response to a subpoena served upon you by Deputy Marshal Allen on October 11, 1965, at 9:45 p.m., served at Adamson Road and Lake Drive, in Jonesboro, Georgia?

Mr. CHALMERS. Mr. Chairman, with respect to the stipulation with regard to the subpoena, I desire with respect to this witness to enter into the same stipulation that we have heretofore entered into with respect to the subpoena.

The **CHAIRMAN.** Thank you.

Mr. MANUEL. Mr. Bruce, paragraph 1 of your subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Men's Club, Clayton Klavern # 52 and Clayton Civic Club, Inc., in your possession, custody or control, or maintained by you or available to you as member of Clayton Klavern # 52 and Clayton Civic Club, Inc., and judo, firearms and demolition instructor, Realm of Georgia of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you now, sir, to produce those items called for in paragraph 1 of your subpoena.

Mr. BRUCE. Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under the subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation, and the same would not aid the Congress in its consideration of any valid, remedial legislation, nor is such within the scope of the authority for the matter to be investigated by Rule XI of the rules adopted by the Congress, or by Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded in a subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The **CHAIRMAN.** I am told by counsel of the committee that we better make clear that the stipulation with reference to the return of the subpoena is that the return and time of the services is the return shown by the United States marshal.

Mr. CHALMERS. Yes, sir; on its face; yes, sir.

The CHAIRMAN. In line with all other instances, I offer to make the following stipulation: That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; and (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

That is agreed to?

Mr. CHALMERS. It is so stipulated.

The CHAIRMAN. In light of that, Mr. Bruce, I order and direct you to produce the documents called for.

Mr. BRUCE. Sir, I respectfully decline to deliver to the committee any and all documents demanded and ordered by the committee based upon the grounds which I previously stated.

Mr. MANUEL. Mr. Bruce, I hand you a copy of a charter filed in the Superior Court, of Clayton County, State of Georgia, the first paragraph of which lists several names, among them "D. E. Bruce, Box 117, Jonesboro, Georgia."

This is the charter for the Clayton Civic Club, Inc., filed the 5th day of January 1965.

Mr. Bruce, I hand you this document and ask you if you are the D. E. Bruce listed?

(Witness confers with counsel.)

Mr. BRUCE. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document previously marked "Wesley Bailey Exhibit No. 1.")

Mr. MANUEL. Is Box 117, Jonesboro, Georgia, which is listed after your name, your mailing address?

Mr. BRUCE. I respectfully decline to answer that question on the grounds which I have previously stated.

Mr. MANUEL. The committee investigation has revealed that the Clayton Civic Club, Inc., is a cover for the Clayton County Klavern No. 52 of the Realm of Georgia, United Klans of America, and that all officers and members of the Clayton Civic Club, Inc., are also officers and members of the Clayton County Klavern No. 52.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. BRUCE. Sir, I respectfully decline to answer that question on the grounds which I have previously stated.

Mr. MANUEL. The other incorporators listed on this charter are Fred Hand, Route 3, College Park, Georgia; W. G. Bailey, 167 Dixie Drive, Jonesboro, Georgia; B. J. Hand, Route 3, Jonesboro, Georgia; Roy Meadows, 114 Lake Drive, Jonesboro, Georgia; Henry Hand, Johnson Road, Forest Park, Georgia; and J. W. Wells, of 125 Tanglewood Drive, Jonesboro, Georgia.

Do you know these persons to be members of the Clayton County Klavern No. 52, Realm of Georgia, United Klans of America?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that those persons whom I mentioned are members of the Clayton County Klavern No. 52, United Klans of America, Realm of Georgia?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Since the 5th of January 1965, where has the Clayton County No. 52 Klavern held its meetings?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that since the 5th of January, 1965, Clayton County Klavern No. 52 has met in a building owned by the Clayton Civic Club, Inc.

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Were you in the hearing room this morning, Mr. Bruce, when Chief Howard Smith of the Clayton County Police Department testified before the committee?

Mr. CHALMERS. Mr. Chairman, upon my advice he was not present at the hearing this morning.

Mr. MANUEL. Chief Smith testified that to his knowledge the Clayton County Civic Club, Inc., had purchased property which he described for a price of \$35,000.

As a member, as original incorporator of the Clayton Civic Club, Inc., could you tell the committee how the financial arrangements were made?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. To your knowledge, sir, are there any members of the Clayton County Civic Club, Inc., who are not members of the Clayton County Klavern No. 52, United Klans of America, Realm of Georgia?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bruce, have you ever acted as an instructor in the art of demolition, judo, karate, or military training to persons known to you to be members of the United Klans of America?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Committee investigation has shown that on October 17, 1964, Clayton No. 52 Klavern of the United Klans of America, Realm of Georgia, sponsored a demolition school on the farm of Robert L. Bing, located near Highway 138 in Henry County, Georgia.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Mr. Bruce, I put it to you as a fact, and ask you to affirm or deny the fact, that Robert L. Bing, upon whose farm the instruction was given, is the exalted cyclops of Clayton County Klavern No. 52.

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which were previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that on October 17, you acted as an instructor in demolition, small arms firing, judo, and karate on the farm of Robert L. Bing?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Mr. Bruce, who appointed you to be a demolition instructor?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. What background do you have, to be engaged in demolition instruction?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Our committee investigation has shown that subsequent to the demonstration given by Mr. Bartlett, which I previously described during his testimony, you explained and demonstrated to a group of Klansmen how to set off a fire bomb.

You made a fire bomb and explained it was composed of one third motor oil and two thirds gasoline. You made it up in a quart milk bottle with a cork stopper, over which a rag soaked with gasoline was left protruding from the cork stopper, and you explained and demonstrated that by lighting the rag and throwing the bottle it would explode and also set fire.

Other methods of constructing bombs and detonating explosives were demonstrated, such as one method in which a candle was used and another method in which a cigarette was fixed into a book of matches causing an explosion.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Our committee investigation has shown that among those present were Robert Bing, Jimmy Webb, George Sligh, Fred Hand, Charles Bartlett, and Wesley G. Bailey.

Are the results of our committee investigation correct?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Our committee investigation has also shown that, in addition to members of the United Klans of America being in attendance on that particular occasion, there were H. J. Jones and Clyde Newburn, of the U. S. Klans, Knights of the Ku Klux Klan, in attendance also.

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I have previously stated.

Mr. MANUEL. Mr. Bruce, have you ever held the office of kloann chief of the Clayton County Klavern No. 52?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Mr. Bruce, the committee investigation has revealed that on January 18, 1965, at a meeting of the Clayton County Klavern

No. 52, held in the Clayton County Civic Club building in Jonesboro, Georgia, an announcement was made regarding military training which would begin on January 24, 1965, at the Henry County Klavern No. 60, near McDonough, Georgia, and would extend for a period of 6 weeks.

It was further announced that rifle and pistol training would be under the supervision of Daniel Bruce.

Sir, are you the Daniel Bruce so referred to by our committee investigation?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. The announcement further made on January 18, 1965, stated that judo and karate training would be held at the Clayton County Klavern No. 52 in Jonesboro, Georgia, 2 evenings a week.

Is the result of the committee investigation correct?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Mr. Bruce, I put it to you as a fact, and ask you to affirm or deny the fact, that you acted as an instructor in the activities which I have previously described with the full knowledge and consent of Grand Dragon Calvin F. Craig of the Realm of Georgia.

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. I further put it to you as a fact, and ask you to affirm or deny the fact, that you so acted with the knowledge and consent of exalted cyclops Robert L. Bing.

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. I would like to show you now a copy, the same copy I showed to Mr. Bartlett, the previous witness, of a directive from the office of Calvin F. Craig, Grand Dragon, Realm of Georgia, dated January 17, 1965, reading:

Esteemed Klansmen:

We will start Judo, Karate, and Rifle and Pistol firing training on Monday, January 25, 1965 at the Henry County #60 Klavern.

I show you this document and ask you if you have ever received a copy of that particular document?

(Document handed to witness.)

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

(Document previously marked "Calvin Craig Exhibit No. 1." See p. 2161.)

Mr. MANUEL. The committee has information that on February 7, 1965 rifle and pistol training was given to Klansmen sponsored by Clayton County Klavern No. 52 at the Henry County No. 60 Klavern near McDonough, Georgia, and that 3 hours of instruction and practice were given in rifle and pistol. Among those present were Charles Bartlett, Daniel Bruce, Jimmy Wells, Fred Hand, and Billy Joe Hand.

Is the result of the committee investigation correct, Mr. Bruce?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds I previously stated.

Mr. MANUEL. Would you tell the committee what your purpose is in acting as an instructor in the art of demolition, judo, karate, and military-type training to persons known to you to be members of the United Klans of America?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Would you please tell the committee what are the duties of a klokann chief of a Klavern?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Is it the duty of a klokann chief to investigate prospective members into the Klavern?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Have you ever investigated any prospective members into Clayton County Klavern No. 52?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. MANUEL. Mr. Chairman, the staff at this time has no further questions.

Mr. WELTNER. Mr. Bruce, on this document dated January 17, 1965, addressed "Esteemed Klansmen," and announcing the beginning of judo, karate, rifle- and pistol-firing training, it has the name "Calvin F. Craig, Grand Dragon," and before that are the initials "I.T.S.U.B."

I wonder if you would tell us what those initials mean?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. BUCHANAN. Mr. Bruce, I notice that you are wearing a triangular pin so designed that if one views it from any side he can read a "K." Since not only you but other witnesses have worn this pin, a number of them, I ask you if it is not a fact that this is a Klan pin you are wearing?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. BUCHANAN. I take it from my information that this is in fact a Klan pin. I understand by paying some extra money you can get a blood drop in it. Is that true?

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. BUCHANAN. What interests me is that you and others have come before this committee and have been unable or unwilling to admit you are a member of the Ku Klux Klan and yet you rather boldly and brazenly wear this Klan pin in this hearing room where you won't admit to being a Klan member.

Mr. BRUCE. Sir, I respectfully decline to answer—

Mr. BUCHANAN. I didn't ask a question, but I will ask if that is not the case, so you can give an answer.

Mr. BRUCE. Sir, I respectfully decline to answer that question based upon the grounds which I previously stated.

Mr. BUCHANAN. No further questions.

The CHAIRMAN. The committee will stand in recess for 1 minute.

(Brief recess.)

The CHAIRMAN. The subcommittee will be in order. The subcommittee will stand in recess until 10 o'clock in the morning.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 3:14 p.m., Wednesday, November 3, 1965, the subcommittee recessed to reconvene in public session at 10 a.m., Thursday, November 4, 1965.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 2

THURSDAY, NOVEMBER 4, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.
PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:25 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, and Weltner.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. Manuel, call your first witness.

Mr. MANUEL. Mr. Chairman, at this time I would like to call to the stand Mr. J. W. Wells.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WELLS. I do.

TESTIMONY OF JIMMY W. WELLS, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. MANUEL. Mr. Wells, will you please state your full name for the record?

Mr. WELLS. Jimmy W. Wells.

(At this point Representative Buchanan entered the hearing room.)

Mr. MANUEL. Are you represented this morning by counsel, sir?

Mr. WELLS. Yes, I am.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Wells, when and where were you born?

Mr. WELLS. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Wells, what is your occupation?

Mr. WELLS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Where do you currently reside?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. From your appearance and the fact that you didn't even read the last response, I take it that you have some schooling.

Could it be stipulated what that is?

(Witness confers with counsel.)

Mr. CHALMERS. I am certain that your records will reveal that Mr. Wells is a high school graduate.

Mr. MANUEL. Mr. Wells, are you currently a member of a Ku Klux Klan organization?

Mr. WELLS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Wells, I put it to you as a fact, and ask you to affirm or deny the fact, that as of the 14th day of October, you were the klaliff, or vice president, of Clayton County Klavern No. 52, United Klans of America, Realm of Georgia.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that as of 14 October 1964 you were the secretary of the Clayton Civic Club, Inc.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Wells, are you appearing before the committee today in response to a subpoena served upon you on the 14th of October 1965 at 7:30 p.m., by Deputy Marshal Allen, served upon you at 125 Tanglewood Drive, Jonesboro, Georgia?

The CHAIRMAN. Will you stipulate the return made by the marshal?

Mr. CHALMERS. Yes, sir.

Mr. MANUEL. Mr. Wells, paragraph 1 of your subpoena called upon you to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Men's Club, Clayton Klavern # 52, and Clayton Civic Club, Inc., in your possession, custody or control, or maintained by you or available to you as klaliff, Clayton Klavern # 52 of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. Wells, I now request that you provide the committee the items as outlined in paragraph 1 of your subpoena.

Mr. WELLS. Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, we have previously made the following stipulation: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Is this stipulation agreed to?

Mr. CHALMERS. It is so stipulated.

The CHAIRMAN. For reasons that we do not accept, your reasons for failure to produce those documents, Mr. Wells, I now order and direct you to produce them.

Mr. WELLS. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Wells, paragraph 2 of your subpoena calls upon you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Klaliff, Clayton Klavern # 52, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask you, sir, to produce the documents and items as outlined in paragraph 2.

Mr. WELLS. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

The CHAIRMAN. The same stipulation is made?

Mr. CHALMERS. The same stipulation with respect to paragraph 2; yes, sir.

The CHAIRMAN. Mr. Wells, I order and direct you to produce those documents.

Mr. WELLS. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Wells, I would like to now show you a copy of a charter filed in Superior Court of Clayton County, Georgia. The charter is that of the Clayton Civic Club, Inc., dated 5 January 1965.

The first paragraph lists several individuals, among whom is J. W. Wells, of 125 Tanglewood Drive, Jonesboro, Georgia.

I hand you this document, sir, and ask you if you are the J. W. Wells who is named in this document.

Mr. WELLS. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document previously marked "Wesley Bailey Exhibit No. 1.")

Mr. MANUEL. Is 125 Tanglewood Drive, Jonesboro, Georgia, your home address, sir?

Mr. WELLS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Paragraph 1 of this document lists the following individuals: Fred Hand, Route 3, College Park, Georgia.

Mr. Wells, do you know Fred Hand to be the president of the Clayton Civic Club, Inc., and also a member of Clayton County Klavern No. 52 of the United Klans of America, Realm of Georgia?

Mr. WELLS. Sir I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. D. E. Bruce, of Box 117, Jonesboro, Georgia, is also listed as an original incorporator of the Clayton Civic Club, Inc. Do you know Mr. D. E. Bruce to be the klokann chief of Klavern No. 52, United Klans of America, Realm of Georgia?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. To your direct knowledge, has Mr. D. E. Bruce engaged in instructing members of the Clayton County Klavern No. 52 and other members of the United Klans of America, Realm of Georgia, in the art of judo, karate, demolition, or military-type training?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Have you ever assisted Mr. Bruce in such activities?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Also listed in paragraph 1 of the charter of the Clayton Civic Club, Inc., is Mr. B. J. Hand, of Route 3, Jonesboro, Georgia.

Do you know Mr. B. J. Hand to be the klabée or treasurer of Clayton Klavern No. 52, United Klans of America, Realm of Georgia?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Also listed is Mr. Henry Hand, of Johnson Road, Forest Park, Georgia.

Do you know Mr. Henry Hand to be a member of the Clayton County Klavern No. 52 and to be vice president of the Clayton Civic Club, Inc.?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Also listed is Mr. Roy Meadows, of 114 Lake Drive, Jonesboro, Georgia, as an original incorporator of the Clayton Civic Club, Inc.

Do you know Mr. Meadows to be a member of the Clayton County Klavern No. 52 of the Realm of Georgia, United Klans of America?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Also listed is Mr. W. G. Bailey, of 167 Dixie Drive, Jonesboro, Georgia.

Do you know Mr. Bailey to be a member and officer of the Clayton County Klavern No. 52, UKA, Realm of Georgia?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Wells, the committee has received a report from the Internal Revenue Service, Department of the U.S. Treasury, from Revenue Officer I. W. Spillers, who operates out of the State of Georgia, dated August 2, 1965, in which Mr. Spillers interviewed Mr. Fred Hand, the president of the Clayton County Civic Club.

This report states that Mr. Hand stated to the Internal Revenue officer that the Clayton County Civic Club owns a building which has a grocery store and several offices in the building, which Mr. and Mrs. Hand operate. Mr. Hand stated that the Clayton Civic Club had 85 members and the sole purpose is to help the needy in sickness or when they are down and out.

Membership fees, according to this report, were \$5 each. The store is just north of Jonesboro Highway 54 and the address of Mr. Hand is as follows: Route 3, College Park, Georgia, and so forth.

I hand you this document, Mr. Wells, and as secretary of the Clayton Civic Club, Inc., could you tell whether Mr. Hand truly represented the purpose of the Clayton Civic Club, Inc., to Revenue Officer Spillers?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Jimmy Wells Exhibit No. 1" appears on p. 2310.)

Mr. MANUEL. Mr. Wells, when did you become the kligrapp or vice president of Clayton County Klavern No. 52?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that Robert L. Bing is the exalted cyclops of Clayton County No. 52 Klavern.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that Mr. W. B. Parr is the kligrapp, or secretary, and Mr. B. J. Hand is the klabee, or treasurer, of Clayton County Klavern No. 52.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Wells, I put it to you as a fact, and ask you to affirm or deny the fact, that you attended a demolition instruction school sponsored by the Clayton County Klavern No. 52 on October 17, 1964, at the farm of Robert L. Bing, the exalted cyclops of Clayton County Klavern No. 52.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

JIMMY WELLS EXHIBIT No. 1

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-107

UNITED STATES GOVERNMENT

Memorandum

TO : George M. Scott
Group Supervisor

FROM : I. W. Spillers
Revenue Officer

SUBJECT: Clayton Civic Club, Inc.
Headquarters - Jonesboro, Georgia

DATE: August 2, 1965

Contact was made with Mr. Fred Hand, President of the above corporation. Mr. Hand presented me with the charter which showed the above as being incorporated on ~~June~~ ^{JAN} 5, 1965.

This corporation owns a building which has a grocery store and several offices in the building. Mr. and Mrs. Hand operate the store.

Mr. Hand stated that they had 85 members and there sole purpose is to help the needy in sickness or when they are down and out. Membership fees were \$ 5.00 each.

This store is just north of Jonesboro - Highway 54. The address of Mr. Hand is as follows:

Mr. Fred Hand
Rt. 3, College Park, Georgia
S. S. # 253-03-0299

*OK
m Scott
8.3.65
I. W. Spillers
Revenue Officer*

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that the instructors on that occasion where Mr. Charles Bartlett and Mr. Daniel Bruce.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you assisted and aided Mr. Bruce in one of the explosion demonstrations.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact that the demonstration in which you aided Mr. Bruce consisted of the demonstration of how to set off a fire bomb and the fire bomb was made of one-third motor oil and two-thirds gasoline in a quart milk bottle with a cork stopper.

A rag soaked with gasoline was left protruding from the cork stopper and this rag was lighted, causing an explosion and a fire.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation in this regard are correct.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that in attendance at that demonstration were Robert L. Bing, Daniel Bruce, George Sligh, Fred Hand, Charles Bartlett, Wesley G. Bailey, from Clayton County Klavern No. 52.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. In addition to members of the United Klans of America, I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. H. J. Jones, the Imperial Wizard of the U.S. Klans, Knights of the Ku Klux Klan, and another member of that organization, Clyde Newborn, were also in attendance at that particular explosive demonstration.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Wells, what was your particular purpose in attending such a demolition demonstration.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Wells, I hand you a copy of a directive from Calvin F. Craig, Grand Dragon, Realm of Georgia, dated January 17, 1965, which I have introduced before to other witnesses.

The CHAIRMAN. Just paraphrase it.

Mr. MANUEL. In this, Mr. Craig outlines the start of a judo, karate, and rifle- and pistol-firing training which was to begin Monday, January 25, 1965, at "Henry County #60 Klavern," and also in this document Mr. Craig announces that the training is sponsored by "Klayton #52" Klavern.

Mr. WELLS. I hand you a copy of this document and ask you if you have received a copy.

Mr. MANUEL. Mr. Wells, have you received a copy prior to this hearing, a copy of that document?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Calvin Craig Exhibit No. 1." See p. 2161.)

Mr. MANUEL. Mr. Wells, I put it to you as a fact, and ask you to affirm or deny the fact, that you were in attendance at a meeting of the Clayton No. 52 Klavern on January 18, 1965.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. The committee's investigation shows that at this meeting it was announced that military training would begin in the near future and extend for a period of 6 weeks, and the place of the training was announced as Clayton No. 60 Klavern, near McDonough, Georgia, and would consist of rifle and pistol training.

Also included were judo, karate, and demolition training, to be under the sponsorship of Mr. Charles Bartlett and Mr. Daniel Bruce.

I put it to you as a fact, sir, and ask you to affirm or deny the fact, that the results of the committee investigation are correct.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that Clayton Klavern No. 52 also holds sessions 2 evenings a week at the Clayton No. 52 Klavern in Jonesboro, Georgia, in which judo and karate training are given by Mr. Bartlett and Mr. Bruce.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Sir, the committee investigation has revealed that you were in attendance at rifle and pistol training given by Clayton County No. 52 Klavern on February 7, 1965, at which time about 3 hours' instruction and practice was given in rifle and pistol firing under the instruction of Charles M. Bartlett and Daniel Bruce.

Our investigation shows that you were in attendance on that occasion. I put it to you as a fact, and ask you to affirm or deny the fact, that the committee's investigation in this regard is correct.

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

Mr. WELTNER. I have no questions, Mr. Chairman.

The CHAIRMAN. Mr. Buchanan?

Mr. BUCHANAN. Mr. Wells, I note you helped to get up a false front organization for this Klavern. Was that because you were ashamed to be known as a Klavern, as part of the Ku Klux Klan?

(Witness confers with counsel.)

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. BUCHANAN. Is it perhaps the Klan is so similar in its structure and in the nature of its activities to other outfits that might operate typically through front organizations?

Mr. WELLS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. BUCHANAN. I have no further questions.

The CHAIRMAN. The witness is excused and released from his subpoena.

Mr. CHALMERS. Thank you, Mr. Chairman.

The CHAIRMAN. Call your next witness.

Mr. MANUEL. I would like to call to the stand at this time, Mr. Chairman, Mr. W. B. Parr.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PARR. I do.

**TESTIMONY OF WALTER B. PARR, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. MANUEL. Mr. Parr, would you please state your full name for the record?

Mr. PARR. Walter B. Parr.

Mr. MANUEL. That is P-a-r-r; is that correct?

Mr. PARR. Correct.

Mr. MANUEL. Are you represented this morning by counsel?

Mr. PARR. I am.

Mr. MANUEL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. When and where were you born, Mr. Parr?

Mr. PARR. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were born July 8, 1906.

Mr. PARR. I respectfully decline to answer that question based upon the ground previously stated.

Mr. MANUEL. What is your current occupation, Mr. Parr?

Mr. PARR. I respectfully decline to answer that question upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, I put it to you as a fact, and ask you to affirm or deny the fact, that you are employed as a route salesman by the *Atlanta Constitution and Atlanta Journal*, an Atlanta, Georgia, newspaper.

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, are you currently a member of a Ku Klux Klan organization?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, I put it to you as a fact, and ask you to affirm or deny the fact, that as of October 14, 1965, you were a member of the United Klans of America, Realm of Georgia; you were a member of the Clayton County Klavern No. 52, and in that particular organization you were the kligrapp, or secretary.

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, are you appearing before the committee today in response to a subpoena served upon you on the 14th day of October 1965 at 8 p.m. by Deputy Marshal Allen? The subpoena was served at 279 North Main Street, Jonesboro, Georgia.

The CHAIRMAN. Council stipulates to the correctness of the marshal's return?

Mr. CHALMERS. Yes, sir.

Mr. MANUEL. Mr. Parr, is 279 North Main Street, Jonesboro, Georgia, your residence?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, paragraph 1 of your subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Men's Club, Clayton Klavern #52 and Clayton Civic Club, Inc., in your possession, custody or control, or maintained by you or available to you as Kilgrapp (Secretary), of Clayton County Klavern #52, Realm of Georgia, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. Parr, I ask you now to produce the documents and items called for in paragraph 1.

Mr. PARR. Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee upon subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. We have heretofore made the following stipulation relating to the production of documents under the subpoena duces tecum: (1) That the witness has been furnished a copy of the chairman's opening statement of October 19, 1965; that he is familiar with its contents, (2) that the directions of the subpoena to produce the documents called for are made to the witness in the official representative capacity described in the subpoena.

Does that stipulation apply in this instance?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Parr, for the reason that the committee does not accept your grounds as justifying your failure to produce those documents, I now order and direct you to do so.

Mr. PARR. Sir, I respectfully decline to deliver to this committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Paragraph 2 requires you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Kilgrapp, Clayton County Klavern #52, United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I now ask you, sir, to produce the items as called for in paragraph 2.

Mr. PARR. I respectfully decline to deliver to this committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. CHALMERS. Our same stipulation, Mr. Chairman.

The CHAIRMAN. The same stipulation applies?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Accordingly, I order and direct you to produce those documents.

Mr. PARR. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, I would like to show you a document which is a charter of an organization known as the Knights of the Ku Klux Klan, Inc. This charter was granted by the Superior Court of Fulton County of the State of Georgia on the 7th day of December 1959.

The charter lists as original incorporators H. J. Jones, R. L. Bing, Sr., W. B. Parr, and J. T. Campbell.

I show you this document, sir, and ask you if you are the W. B. Parr who was the original incorporator of an organization known as the Knights of the Ku Klux Klan, Inc.?

(Document handed to witness.)

Mr. PARR. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Walter Parr Exhibit No. 1" and retained in committee files.)

Mr. MANUEL. Is the H. J. Jones named herein currently the Imperial Wizard of an organization known as the U.S. Klans, Knights of the Ku Klux Klan?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Jones does hold that position with that organization.

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. R. L. Bing mentioned herein as currently the exalted cyclops of Clayton County Klavern No. 52 of the United Klans of America, Realm of Georgia.

Mr. PARR. Sir, I respectfully decline to answer that questioned based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that J. T. Campbell is currently a member of Clayton County Klavern No. 52, Realm of Georgia, United Klans of America.

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, are you currently a member of this organization known as the Knights of the Ku Klux Klan, Inc.?

Mr. PARR. Sir, I respectfully decline to answer that question based on the grounds previously stated.

Mr. MANUEL. What were the activities of this particular organization?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Why was this organization formed in 1959?

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Did you hold any office in this Knights of the Ku Klux Klan, Inc.?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, investigation conducted by this committee has shown that as early as September 23, 1963, you were the kligrapp, or secretary, of Clayton County Klavern No. 52.

I put it to you as a fact, and ask you to affirm or deny the fact, that the results of the committee investigation in this regard are correct.

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Further, the committee investigation has shown that you have continuously served as kligrapp, or secretary, of this Klavern for the years 1964 and 1965.

I put it to you as a fact, and ask you to affirm or deny the fact.

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, I put it to you as a fact, and ask you to affirm or deny the fact, that on September 2, 1963, you attended a meeting of the Clayton County Klavern No. 52 at which meeting Mr. Charles Bartlett gave a report concerning military training afforded some Klan members the previous day.

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do you know Mr. Charles Bartlett to be an instructor in judo, karate, explosive devices, and military training for members of the Klan?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Have you yourself, Mr. Parr, ever participated in such training?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Our investigation reveals, Mr. Parr, that on June 29, 1964, you attended a meeting of the Clayton County Klavern No. 52 held at that time at Lake City, Georgia, Community House, at which a discussion was held concerning instruction of new Klavern members on the technique of committing violence without being caught.

I put it to you as a fact, and ask you to affirm or deny the fact, that you were in attendance at such a meeting on that date.

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Would you tell the committee, please, what methods or techniques of committing violence without being caught were taught and by whom?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that on July 16, 1964, you were present at a meeting of the Clayton County Klavern No. 52 which was held at Lake City, Georgia, at which Mr. Calvin Craig, Grand Dragon of the Realm of Georgia, spoke.

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that at that meeting Mr. Craig spoke and said that from the Klan's investigation of three missing civil rights workers in Mississippi, the Federal Government had invaded the State of Mississippi and had turned it into a police State.

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Sir, the committee investigation has shown that on August 27, 1964, you were in attendance at a meeting of the Clayton County Klavern No. 52 held in Lake City, Georgia, at which a discussion took place regarding contributions to assist in defraying the legal expenses of Klansmen who had been charged with the murder of Colonel Lemuel A. Penn.

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do you have knowledge as to whether such a collection from Klansmen was taken?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, have you ever acted as a member of a degree team which naturalizes or initiates members into the Ku Klux Klan?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. The committee investigation has shown, Mr. Parr, that you attended a meeting of the Clayton County Klavern No. 52 on December 9, 1964, which was held in Lake City, Georgia, at which a discussion took place regarding the organization of a security committee within the Klan. The purpose of this security committee would be to weed out from applicants for Klavern membership those individuals who might potentially furnish information to law enforcement agencies. Is that correct?

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Would you inform the committee why the Clayton County Klavern No. 52 would want to keep information of its activities from law enforcement officers?

Mr. PARR. I respectfully decline to answer the question based upon the grounds previously stated.

Mr. MANUEL. The committee investigation further shows, Mr. Parr, that on December 14, 1964, you were present at a meeting of the Clayton County Klavern No. 52 which was held at Lake City, Georgia, during which the members discussed the appointment of committees to investigate needy families in the area who might qualify as recipients of Klavern Christmas baskets. Is that information correct?

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Parr, do you honestly feel that if you answered regarding the question as to whether the Klan donates Klavern Christmas baskets to needy families that you would incriminate yourself?

Mr. PARR. I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Pool left the hearing room.)

Mr. MANUEL. Mr. Parr, the committee investigation has established that on the 13th of July 1964 you were present at a meeting of the Clayton County Klavern No. 52 held in Lake City, Georgia, at which the Grand Dragon, Calvin Craig, spoke to the meeting. Is this information correct?

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Our investigation shows that at this meeting Mr. Craig commented that he had never known of a Klansman being arrested who had followed his orders. Mr. Craig stated that any Klansman who is arrested obviously is not following his orders.

Is the result of the committee's investigation on the comments of Mr. Craig correct?

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. Mr. Parr, Mr. Manuel described what the committee investigation disclosed and went as far as he was able to because he is under oath. He asked you whether it was not a fact that you attended a meeting about instruction in techniques whereby one would not be caught for committing violence. He further disclosed the committee investigation with reference to the appointment of a security committee within your Klan.

Are those two occurrences connected with an underground operation which was mentioned yesterday whereby, in the event of an attack upon this country, some of the Klans or some of the Klaverns or some of the members would have to go underground to protect the country, as I think they put it, instead of coming out locally and protecting the country above ground?

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(At this point Mr. Pool returned to the hearing room.)

The CHAIRMAN. Are there any questions from members of the subcommittee?

Mr. BUCHANAN. Mr. Parr, in light of the instructions that you wanted to keep certain things from law enforcement officers, you don't keep things from law enforcement officers unless they are not legal; do you? For what reason would you keep from law enforcement officers acts or activities which are legal and constitute no violation of law?

Mr. PARR. Sir, I respectfully decline to answer that question based upon the grounds as previously stated.

The CHAIRMAN. The witness is excused and released from his subpoena.

The committee will stand in recess for 5 minutes.

(Whereupon at 11:15 a.m. the subcommittee recessed and reconvened at 11:20 a.m. with the following subcommittee members: Representatives Willis, Pool, Weltner, and Buchanan, present at time of recess and when hearings resumed.)

The CHAIRMAN. The subcommittee will come to order.

Mr. Manuel, call your next witness.

Mr. MANUEL. Mr. Chairman, the staff would like to call at this time Mr. Robert L. Bing.

The CHAIRMAN. Please raise your right hand.

You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BING. I do.

**TESTIMONY OF ROBERT LEWIS BING, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. MANUEL. Mr. Bing, would you state your full name for the record, sir?

Mr. BING. Robert Lewis Bing.

Mr. MANUEL. Do you ever use the suffix "Senior" after your name? (Witness confers with counsel.)

Mr. CHALMERS. He does not, Mr. Chairman.

Mr. MANUEL. Mr. Bing, when and where were you born?

Mr. BING. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Are you represented today by counsel, Mr. Bing?

Mr. BING. Yes.

Mr. MANUEL. Will counsel identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. MANUEL. Mr. Bing, I put it to you as a fact, and ask you to affirm or deny the fact, that you were born on the 3d day of August 1926 at White Hall, Alabama.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, where do you currently reside?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you reside on Route 2, in Stockbridge, Georgia.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. And I further put it to you as a fact, and ask you to affirm or deny the fact, that Stockbridge is in Henry County, Georgia.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, what is your present occupation?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are employed as a city driver by the Central Truck Lines in Atlanta, Georgia.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, are you currently a member of a Ku Klux Klan organization?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, I put it to you as a fact, and ask you to affirm or deny the fact, that as of the 11th day of October 1965 you were the exalted cyclops of Clayton County Klavern No. 52, Realm of Georgia, United Klans of America.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, are you appearing before the committee this morning in response to a subpoena served upon you on the 11th day of October 1965 at 11:05 a.m. by Deputy U.S. Marshal Camp at the Central Truck Lines office on Moreland Avenue in Atlanta, Georgia?

Mr. CHALMERS. Mr. Chairman, it is so stipulated.

Mr. MANUEL. Mr. Bing, paragraph 1 of your subpoena requires you to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Georgia Rescue Service, State Mens Club, Clayton Klavern #52 and Clayton Civic (S.C.) Club, Inc. in your possession, custody or control, or maintained by you or available to you as Exalted Cyclops (president) of Clayton County Klavern #52, Realm of Georgia, of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. Bing, I ask you at this time to produce the items as called for in paragraph 1.

Mr. BING. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 11, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

I respectfully decline to deliver to the committee any and all documents demanded by the committee in its subpoena dated October 11, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers, we have made this stipulation in connection with subpoenas requiring the production of documents: (1) that the witness has been furnished a copy of the chairman's opening statement of October 19, 1965, and that he is familiar with its contents; (2) that the directions of the subpoena to produce the documents

called for are made to the witness in the official representative capacity described in the subpoena.

Will that stipulation apply in this instance?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Accordingly, Mr. Bing, the committee does not accept your grounds for failing to produce these documents. I now order and direct you to produce those documents.

Mr. BING. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, paragraph 2 of your subpoena calls for:

All books, records, documents, correspondence and memoranda in your possession, custody or control, or maintained by or available to you in your capacity as Exalted Cyclops Clayton County Klavern #52, Realm of Georgia, of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you now, sir, to produce the documents called for in paragraph 2.

Mr. BING. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. CHALMERS. With respect to paragraph 2, our same stipulation applies, Mr. Chairman.

The CHAIRMAN. Thank you.

Therefore, Mr. Bing, I order and direct you to produce those documents.

Mr. BING. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, I put it to you as a fact, and ask you to affirm or deny the fact, that you were formerly a member and an officer of the U.S. Klans, Knights of the Ku Klux Klan, Inc.

Mr. BING. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. MANUEL. Mr. Bing, would you explain to the committee exactly why you changed membership from the U.S. Klans to the United Klans of America?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, in July of 1965, at the State convention of the Realm of Georgia, United Klans of America, did you run for the position of Grand Dragon of the State, challenging Calvin F. Craig?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you did so challenge Calvin Craig in the election held in July 1965.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that on October 17, 1964, a demolition school was given to members of the Ku Klux Klan in Clayton County Klavern No. 52 on property owned by you in Henry County, Georgia.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I further put it to you as a fact, and ask you to affirm or deny the fact, that on that occasion instructions were given to Klansmen in the disassembling and assembling of the .45 caliber automatic pistol, the Army carbine, M-1 rifle, as well as making Molotov cocktails and small bombs.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that at a meeting of Clayton County Klavern No. 52, of which you are the exalted cyclops, or chief officer, on January 18, 1965, it was announced that judo and karate training would be held at the Clayton County Klavern 2 evenings each week.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that instructions for Klansmen in the art of making small bombs, Molotov cocktails, and military-type training are given with your knowledge and consent.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, do you make it a habit to carry on your person pistols and other such weapons?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Do you have a permit to carry a gun?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, have you ever served as an auxiliary policeman in Forest Park, Georgia?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, do you know of the existence of a group made up of members of Clayton County Klavern No. 52 using the name "White Band"?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Is the purpose of this group, the White Band to take action against Negroes and others in Clayton County, Georgia?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Is the existence of the White Band known to all members of Clayton County Klavern No. 52?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. If it is not known generally to all members, is the existence of the group one of the underground or intelligence com-

mittees we have heard about in these hearings, reserved to a few selected to do special violent actions, to take special violent actions?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, were you in attendance at the Imperial Klonvokation of the United Klans of America held the 5th and 6th of September 1964 at the Dinkler-Tutwiler Hotel in Birmingham, Alabama?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you were in attendance at that Klonvokation.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, were you at that time a candidate for any imperial office within the United Klans of America?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, sir, that you were a candidate for the office of Imperial Klokard and you were defeated for that office by Mr. Robert Collins.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that in addition to Mr. Robert Collins, who was elected to the position of Klokard, the following persons were elected: Robert Shelton to the position of Imperial Wizard; Reverend George Dorsett to the position of Imperial Kludd; Robert Hudgins to the position of Imperial Kladd; Walter Brown to the position of Imperial Klarogo; Robert Korman to the position of Imperial Klexter.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that W. O. Perkins is the Imperial Kligrapp, or secretary, of the United Klans of America and Frederick Smith is the Imperial Klabee, or treasurer, of the United Klans of America.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, as an exhalted cyclops of a Klavern in the State of Georgia, do you have knowledge that there is a bank account established for the Realm of Georgia under the name State Men's Club?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. To whom does your Klavern pay its monthly dues or taxes within the Realm of Georgia?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I put it to you as a fact, and ask you to affirm or deny the fact, that dues are paid to Mr. Calvin F. Craig.

The CHAIRMAN. By person or check?

Mr. MANUEL. By check.

The CHAIRMAN. By check made payable to him personally?

Mr. MANUEL. Yes, sir

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. And the share going to the imperial headquarters in Tuscaloosa is paid by check payable to Robert M. Shelton personally?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. As an exalted cyclops of a Klavern in Georgia, Mr. Bing, would you tell the committee what Mr. Craig does with the money that is sent to him as dues?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, as an exalted cyclops of a Klavern in Georgia for the United Klans of America, do you have knowledge of the existence of a bank account under the name Alabama Rescue Service, which account is the actual account for the Invisible Empire of the United Klans of America?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do you have knowledge that checks signed by an individual signing the signature T. M. Montgomery were actually signed by Carol Long?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Do you have knowledge that checks signed by Mr. Robert Shelton and an individual signing the name "James J. Hendricks" were actually signed by Mrs. Robert Shelton?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. As an exalted cyclops of a Klavern in Georgia, do you have any knowledge of what happens to your money that you send as imperial tax to Robert Shelton or to the Alabama Rescue Service?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. To your knowledge, do any members of your Klavern have knowledge of what happens to the money that they either send to Mr. Craig or Mr. Shelton?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, the committee investigation shows that at a meeting of the Clayton County Klavern No. 52 on January 18, 1965, it was announced that judo and karate training would be held at the Clayton County Klavern No. 52 on 2 evenings each week.

I put it to you as a fact, and ask you to affirm or deny the fact, that that announcement was made with your knowledge and consent.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, could you tell the committee for what purpose Clayton County Klavern No. 52 trains some or all of its members in judo and karate?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. With further reference to the October 17, 1964, demolition instruction given on property owned by you in Henry County, would you tell the committee where explosive materials and dynamite were obtained by Klansmen?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, have you attended naturalization ceremonies of the United Klans of America, Realm of Georgia, in Klaverns other than Clayton County No. 52?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. The committee investigation shows that you did participate in such naturalization or initiation ceremonies at the Fiery Cross Klavern No. 113 in July of 1964, at the Lithonia, Georgia, Klavern on November 21, 1964, and at the College Park, Georgia, Klavern of the U.S. Klans in November 1964, November 19th.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, have you engaged in conversation with the Grand Dragon Calvin F. Craig concerning the training of Klansmen in the art of demolition, judo, karate, or military-type training?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, I put it to you as a fact, and ask you to affirm or deny the fact, that Charles Bartlett and Daniel Bruce, both members of Clayton County No. 52 Klavern, of which you are the exalted cyclops, have acted as instructors for Klansmen in the art of military training, explosive devices, judo, and karate.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, were you a member of a Ku Klux Klan organization in the year 1958?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I would like to show you a photograph, sir, which the committee investigation has determined was taken in 1958 at a meeting of various Ku Klux Klan organizations at the Henry Grady Hotel in Atlanta, Georgia.

This meeting was sponsored by, among others, William Hugh Morris and H. J. Jones in an effort to consolidate various Klan groups.

I show you this photograph and ask you if you are pictured thereon. (Photograph handed to witness.)

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

(Photograph marked "Robert Bing Exhibit No. 1" appears on p. 2326.)

Mr. MANUEL. I put it to you as a fact, sir, and ask you to affirm or deny the fact, that you were in attendance at that particular meeting.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. The committee investigation has shown that, among other things which were discussed, there was discussed at this meeting

ROBERT BING EXHIBIT No. 1



Photo taken at Henry Grady Hotel, Atlanta, Ga., spring of 1958 at meeting of various Klan organizations. Klansman at far right identified as Robert Bing.

by Klansmen the proposal to burn schools in the event that integration would come to the South.

Mr. BING. I respectfully——

Mr. MANUEL. I ask you to affirm or deny that result of the committee investigation.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, what was your position to that proposition?

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. Mr. Bing, I would like to show you another photograph taken at a United Klans rally held June 5, 1965, in Atlanta, Georgia, on which picture is the image of a person identified as Raymond Anderson, the Grand Dragon of Tennessee for the United Klans of America, and yourself.

I show you this photograph and ask you if those identifications are correct.

(Photograph handed to witness.)

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

(Photograph marked "Robert Bing Exhibit No. 2" follows:)

ROBERT BING EXHIBIT NO. 2



Photograph taken at United Klans rally held June 5, 1965, in Atlanta, Ga. No. 1 identified as Robert Bing and No. 2 as Raymond Anderson, Grand Dragon of UKA, Tenn.

Mr. MANUEL. I show you two other photographs taken at the same rally, June 5th, in Atlanta, Georgia, June 5, 1965, and ask you if you are the person so pictured as a participant in that rally.

(Photographs handed to witness.)

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

(Photographs marked "Robert Bing Exhibit Nos. 3-A and 3-B," respectively, and retained in committee files.)

Mr. MANUEL. Mr. Chairman, I have no further questions of this witness.

I am sorry. I do have one further item.

Mr. Bing, with further reference to the meeting which I have described, which took place in 1958 in the Henry Grady Hotel in Atlanta, I put it to you as a fact, and ask you to affirm or deny the fact, that as a result of the conversation regarding the burning of schools in the event integration would come, that some members, and some persons in attendance at this very meeting, dropped out of the Klan because of that.

Mr. BING. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. MANUEL. I have no further questions, Mr. Chairman.

The CHAIRMAN. Does any member of the committee have any questions?

If not, the witness is excused and released from his subpoena.

The committee will stand in recess until next Tuesday at 10 o'clock in the morning.

Mr. CHALMERS. Mr. Chairman, earlier this week Mr. Calvin Craig testified, and he was excused and his subpoena continued until tomorrow. Would the chairman like him back on next Tuesday?

The CHAIRMAN. I am told by Mr. Appell that a telegram was sent to him postponing the date of his reappearance, so the answer is "No," he does not have to come tomorrow, but he is to be back Tuesday.

The committee will be in recess until Tuesday next.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 11:58 a.m., Thursday, November 4, 1965, the subcommittee recessed, to reconvene at 10 a.m., Tuesday, November 9, 1965.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS

Part 2

TUESDAY, NOVEMBER 9, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 1:13 p.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, and Weltner.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will please come to order.

The Chair wishes to make the following statement:

The committee decided at the outset of this investigation that it would go into all the activities of the Klans and their members which were pertinent and germane to its inquiry, provided that, after consultation with the Department of Justice, it was determined that such inquiry would not prejudice the right of any individuals involved in pending criminal prosecutions.

Pursuant to this policy, and with the concurrence of officials of the Department of Justice, the committee had planned to explore, beginning today, the activities of certain Klansmen in the Athens, Georgia, area, including those involved in the killing of Lt. Col. Lemuel Penn, and other acts of violence.

Over the weekend, however, the committee received a request from the Attorney General of the United States that we not proceed with the matters we had intended to explore this week. Under the circumstances, the committee determined this morning to discharge until January 4, 1966, all witnesses summoned to appear before it this week.

At this time, the subcommittee has held 12 days of hearings in which it has received 1400 pages of testimony from 52 witnesses.

Before concluding this session of the subcommittee, I would like to summarize the major facts it has developed to date.

First, we have demonstrated that the Klan movement is not a monolithic one, but that, on the contrary, there are about a dozen different Klan organizations operating today. The hearings show that Klan strength is considerably greater than was generally estimated at the time our investigation began. It was then believed that total Klan membership was about 10,000. It is the committee's present estimate that the actual figure today is four to five times that number.

We have shown that the largest of the Klan groups is the United Klans of America and that this organization, in its corporate tax returns, has not been fully reporting its income on the national or imperial level, and that it has not paid taxes on such income as it has reported. It has not included in its reports to the Treasury Department its Realm and Klavern level income. This was specifically documented in the cases of North Carolina, South Carolina, and Georgia.

We have revealed that the Klans make extensive use of innocent-sounding cover or front names—such as civic, improvement, or rescue societies, and hunting, fishing, or sportsmen's clubs—to conceal the existence of their Klaverns and bank accounts, and that this device has been sufficiently effective to deceive a Federal agency into innocently renting office space in a Klan-owned building; that on the national level, the leader of the United Klans of America has violated the organization's constitution and bylaws—as well as the laws of the United States of America, I might mention—by maintaining the imperial account not in the name of the Imperial Wizard and the treasurer, or klabee, but under his own and fictitious names—with himself, his wife, and his former secretary writing checks on the account, the better to hide his financial manipulations from the general membership.

The hearings have disclosed that Grand Dragons of three of the major Realms of the UKA—North Carolina, South Carolina, and Georgia—have not deposited in their Realm accounts many checks received in payment of dues, but have cashed them without making any accounting of them; also that complete and accurate accountings of Realm funds have never been made to Klan members by their Realm officers.

The record has revealed that insurance programs allegedly set up for the benefit of Klan members have been used for the personal gain of Klan officers.

Our hearings has demonstrated that a considerable number of Klan officers and members have criminal records—and some of them extensive records—for carrying concealed weapons, burglary, inciting to riot, holding people at bay with a submachine-style gun while burning a cross for terroristic purposes, breaking out of prison, interfering with law enforcement officers in the performance of their duties, operating disorderly houses, and so on. More important, we have revealed that, despite claims to the contrary, Klan leaders make no real effort to prevent such persons from joining their organization or to expel them once they have joined.

The record reveals that cross-burnings for intimidation purposes are official acts of Klans, that Klan members carry pistols, rifles, carbines, sawed-off shotguns, tear gas dispensers, and other weapons,

not only to Klan meetings, but also when engaged in picketing, cross-burnings, and other activities. Our record also demonstrates that Klan units have conducted schools in which their members are taught, in some cases by men with criminal records, how to use rifles, pistols, and guns, the arts of judo and karate, and how to make booby traps, Molotov cocktails, and demolition devices from easily obtainable materials such as farm fertilizers, gasoline, flashlight batteries, fruit jars, and electric light switches.

Klan members and officers speak about burning schools which integrate and setting off intense fires in automobiles and department stores.

We have revealed the existence of secret Klan organizations known by such names as The Vigilantes or Black Knights, The Underground, and The White Band, formed by Klan members for carrying out acts of violence and terrorism. One witness has sworn under oath that after he had quit the Klan and spoken out against it, he received a call from another Klan member who told him that he had been authorized to do away with him.

The record shows that Klan members purchase weapons from other Klan members licensed as gun dealers; that Klan members use citizens band radios for communication purposes.

We have also revealed, I am sorry to say, that while the vast majority of law enforcement officers in Klan areas are sincere, dedicated upholders of the law, there is a small minority who are members of the Klan.

The record reveals, I believe, that the Klan oath is a farce, a device to intimidate and trick rank-and-file Klan members into believing that it comes above all other oaths and can never, under any circumstances, be violated, even if it means death. Despite the alleged sacredness and supremacy of this oath above all others, the highest leaders of the Klan were afraid to risk even a year in jail for contempt—much less die—to preserve and uphold it. In their appearances before the subcommittee, they have in every case resorted to the fifth amendment instead of the oath as a means of protecting themselves and preserving Klan secrets.

Finally, I must point out, in fairness, that there are some basically good and decent American citizens who have apparently been deceived into joining the Klan by its patriotic and noble-sounding propaganda. These men do not subscribe to the violence and other reprehensible means used by other Klan members and leaders, nor do they tolerate the financial double-dealing that goes on in Klan officialdom. This was demonstrated in the testimony of Mr. Joseph DuBois, who had a wonderful record as a Marine in World War II, who turned over to the committee such Klan records as he had, and resigned from the Klan while on the witness stand, saying that, as far as he was concerned, God and country, rather than the Klan, always come first. It was also demonstrated in the testimony of Mr. Roy Woodle, the lay preacher, who became disgusted with the Klan when he learned of the manner in which its leaders were milking the members of their hard-earned money.

Already, there have been positive results flowing from this investigation. The so-called Invisible Empire of the Ku Klux Klans

is no longer so invisible. There have been defections from this empire. The Federal Communications Commission has undertaken a study of the misuse of citizens band radios, and I am sure that other agencies of the executive branch will want to take action as a result of some of the facts developed by the committee. It is our intention, in due time, to submit certain parts of our record to the Internal Revenue Service, the FCC, and the Veterans Administration, for example, for appropriate action. We are also considering, of course, the recommendation of contempt citations.

Our hearings are far from completed at this point, but I believe we have developed many facts of great significance for the record, and that by the time the hearings are ended, the Congress will have all the facts it needs for purposes of remedial legislation.

The witnesses subpoenaed to appear before the committee today are continued under subpoena until January 4, 1966.

The committee stands adjourned until further call of the Chair.

(Subcommittee members present at time of recess: Representatives Willis, Pool, and Weltner.)

(Whereupon, at 1:25 p.m., Tuesday, November 9, 1965, the subcommittee adjourned, to reconvene at the call of the Chair.)



**ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS
IN THE UNITED STATES
PART 3**

**HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-NINTH CONGRESS
SECOND SESSION**

**JANUARY 4-7, 11-14, 18, AND 28, 1966
(INDEX IN SEPARATE VOLUME)**

**Printed for the use of the
Committee on Un-American Activities**



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**U.S. GOVERNMENT PRINTING OFFICE
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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

EDWIN E. WILLIS, Louisiana, *Chairman*

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JOE R. POOL, Texas

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FRANCIS J. MCNAMARA, *Director*

WILLIAM HITZ, *General Counsel*

ALFRED M. NITTLE, *Counsel*

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 89TH CONGRESS

House Resolution 8, January 4, 1965

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(r) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

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* * * * *

27. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

TUESDAY, JANUARY 4, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee met, pursuant to recess, at 10 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

This morning we resume hearings on the Ku Klux Klan organizations of the United States. In that connection I refer to my opening statement of October 19, 1965, which is of course already a part of the record.

I assume that each witness to be called today, and thereafter, has received and read a copy of that opening statement. I nevertheless suggest that the one who will conduct the interrogation will ask each witness if that is so. It is my information it is so.

So we will now resume the interrogation of witnesses, and Mr. Appell will please call the first witness.

Mr. APPELL. Mr. John Deason Swenson.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SWENSON. Yes, sir.

Mr. APPELL. Will counsel please have a seat.

**TESTIMONY OF JOHN DEASON SWENSON, ACCOMPANIED BY
COUNSEL, JAMES R. VENABLE**

Mr. APPELL. Mr. Swenson, will you please state your full name for the record.

Mr. SWENSON. Do you want me to stand?

Mr. APPELL. No.

Mr. SWENSON. My name is John D. Swenson.

Mr. APPELL. Is the "D" for Deason?

Mr. SWENSON. That is right.

Mr. APPELL. When and where were you born, Mr. Swenson?

Mr. SWENSON. I was born on June 15, 1910, in Poplarville, Mississippi.

Mr. APPELL. Are you represented by counsel?

Mr. SWENSON. Yes, sir.

Mr. APPELL. Would counsel please identify himself for the record?

Mr. VENABLE. James R. Venable, attorney at law, Atlanta, Georgia.

The CHAIRMAN. Will you give your address for the record?

Mr. VENABLE. Walter R. Brown Building, Atlanta 3, Georgia.

Mr. APPELL. Mr. Swenson, will you please set forth your educational background?

Mr. SWENSON. Sir, I have a grade school education.

Mr. APPELL. Will you set forth to the committee a brief chronology of your employment background?

Mr. SWENSON. I am in business for myself.

Mr. APPELL. Let's take from the period 1960 to the present time. How have you been employed?

Mr. SWENSON. I respectfully refuse to answer on the grounds this may tend to incriminate me.

Mr. APPELL. Mr. Swenson, are you now, or have you ever been, a member of a Ku Klux Klan organization?

Mr. SWENSON. I respectfully refuse, sir, to answer on the grounds it may tend to incriminate me.

Mr. APPELL. Mr. Swenson, in 1960, Roy E. Davis, now of Dallas, Texas, organized the old Original Knights of the Ku Klux Klan.

Did you become an officer in that organization?

Mr. SWENSON. Sir, I refuse to answer on the grounds this answer may tend to incriminate me.

The CHAIRMAN. Do you mean under the provisions of the fifth amendment of the Constitution?

Mr. SWENSON. Yes, sir. May I respectfully say, also the fourth amendment, sir.

The CHAIRMAN. Pardon?

Mr. APPELL. He would like to include the fourth amendment.

Mr. SWENSON. I am sorry if I am not talking loud enough.

The CHAIRMAN. That is perfectly all right.

You are invoking constitutional privileges, and it should be spelled out for the record.

Mr. APPELL. Mr. Swenson, do you know Mr. Royal V. Young.

Mr. SWENSON. Yes, sir; I have met Mr. Young.

Pardon me, sir. I would like to withdraw that statement, sir. I respectfully refuse to answer this question on the grounds that it may tend to incriminate me.

The CHAIRMAN. And again for the record, you base that refusal on the basis of the fifth amendment?

Mr. SWENSON. The fourth and fifth; yes, sir.

Mr. APPELL. Mr. Chairman, I suggest that the witness, before withdrawing the answer that he gave, did acknowledge that he knew Royal V. Young, and I suggest serious consideration ought to be given by the committee that he has waived his right to retract the answer and now invoke the fifth amendment.

Mr. POOL. He was advised by his counsel to take the fifth amendment, and I think we cannot argue with that. If counsel wants to advise him that way, we have to respect his wishes.

The CHAIRMAN. I think certainly as a matter of law and in the procedures of the court, he has technically waived his rights to invocation, but for the time being we will pass it up.

Mr. APPELL. Mr. Swenson, did you recruit Royal V. Young into the Original Knights of the Ku Klux Klan?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds it may tend to incriminate me, invoking the fourth and fifth amendment.

Mr. APPELL. Mr. Chairman, on July 28, 1965, the committee heard in executive session Mr. Royal V. Young. This testimony the committee voted this morning to release, and I should therefore like to refer to that testimony in the interrogation of the witness.

The CHAIRMAN. That is proper. The committee did this morning vote to release the executive testimony of Mr. Young.

Mr. APPELL. Mr. Young was asked:

Mr. APPELL. Who recruited you into membership into the Klan?

Mr. YOUNG. I believe it was Brother Swenson.

Mr. APPELL. Would you identify Brother Swenson fully, by his full name?

Mr. YOUNG. Sir, I don't know his full name. All I know—all I can do is give you his initials.

Mr. APPELL. By whatever identities you can give then.

Mr. YOUNG. It is J. D. Swenson.

Are you the J. D. Swenson that Mr. Young identified as having recruited him into the Klan?

Mr. SWENSON. I respectfully refuse to answer on the ground it might incriminate me.

Mr. APPELL. Mr. Young testified further with respect to J. D. Swenson that, at the time he was recruited by J. D. Swenson, J. D. Swenson held the position of Grand Dragon for the Original Knights of Ku Klux Klan.

Is the testimony of Mr. Young truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds his question may tend to incriminate me on the fourth and fifth amendment.

Mr. APPELL. Mr. Young was asked what positions he held within the Original Knights, and he said that he had held the position of Acting Grand Dragon. He was then asked:

Mr. APPELL. Who appointed you?

Mr. YOUNG. Swenson.

I ask you if that testimony is truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds his question may incriminate me.

The CHAIRMAN. And you are invoking that on grounds previously stated?

Mr. SWENSON. Yes, the fourth and fifth amendment.

Mr. APPELL. Mr. Young testified that subsequently he was promoted to the position of Imperial Dragon and that this appointment was made by the Reverend Roy E. Davis. Is that testimony truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this answer may incriminate me. I am invoking the fourth and fifth amendment.

The CHAIRMAN. Mr. Swenson, you testified under oath that you were born in 1910. Where were you born?

Mr. SWENSON. I believe I stated that—Poplarville, Mississippi.

The CHAIRMAN. Poplarville, Mississippi?

Mr. SWENSON. Yes.

The CHAIRMAN. Where do you reside now?

Mr. SWENSON. I reside in Bossier City, Louisiana.

The CHAIRMAN. That is across the Red River from Shreveport?

Mr. SWENSON. Yes, sir; that is correct.

Mr. APPELL. Mr. Swenson, Mr. Young was asked this question by me after some talk about you:

Mr. Appell. All right. Now in addition to Grand Dragon, did Swenson hold another office as National Kleagle?

Mr. YOUNG. Yes; that is right.

Did you hold the position of National Kleagle?

Mr. SWENSON. Sir, I respectfully refuse to answer this question on the grounds that it may incriminate me, invoking the fourth and fifth amendment.

The CHAIRMAN. Mr. Swenson, it is the information of this committee that you can be called what would be known as the father of the modern-day Klan in Louisiana; is that not true?

Mr. SWENSON. Sir, I respectfully refuse to answer your question on the grounds it may tend to incriminate me. In both instances, the fourth and fifth amendment.

Mr. APPELL. As an officer of the Original Knights of the Ku Klux Klan of Louisiana, I ask you whether this other sworn testimony of Mr. Young is factual; that at the time Mr. Young was appointed the Imperial Dragon, that Mr. Murry H. Martin was appointed the Grand Giant, or the number two man under the Grand Dragon?

Mr. SWENSON. Sir, did you ask that as a question?

Mr. APPELL. Yes. I ask you if his testimony to that effect was truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this testimony may tend to incriminate me.

Mr. APPELL. Mr. Young testified, and I ask you if his testimony was truthful, that at the time Murry H. Martin was appointed as Grand Giant, that Mr. Grady Wilder was appointed the Assistant Grand Giant. I ask you if that is true?

Mr. SWENSON. I didn't hear the question. I thought you were reading a statement there.

Mr. APPELL. I ask you if Mr. Young's testimony is truthful to the effect that at the time Murry H. Martin was appointed Grand Giant, that Grady Wilder was appointed the Assistant Grand Giant?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this answer may tend to incriminate me, invoking the fourth and fifth amendment.

Mr. APPELL. I ask you if Mr. Young's testimony is truthful to the effect that Mr. Robert Fuller of Monroe, Louisiana, was appointed to the position of chief of the Klan Bureau of Investigation?

Mr. SWENSON. I didn't hear the question.

Mr. APPELL. If Mr. Robert Fuller was appointed to the position of chief of the Klan Bureau of Investigation?

The CHAIRMAN. Known as the klabee?

Mr. APPELL. No, sir.

The CHAIRMAN. What is the technical name?

Mr. APPELL. KBI, Klan Bureau of Investigation.

Mr. SWENSON. I respectfully refuse to answer on the grounds this answer may tend to incriminate me, invoking the fourth and fifth.

The CHAIRMAN. Mr. Swenson, Mr. Young appeared, as you now know, before this subcommittee in executive session under oath, under the pains and penalty of perjury, and he chose to answer these questions posed to you, and apparently saw no involvement under the constitutional amendments you refer to.

Can you explain why he felt he could answer these questions freely, while you rely on these amendments?

Mr. SWENSON. Sir, I respectfully refuse to answer your question on the grounds it may incriminate me, invoking the first, fourth, and fifth amendments.

The CHAIRMAN. You now invoke the first also?

Mr. SWENSON. Yes, sir.

Mr. APPELL. Mr. Swenson—

The CHAIRMAN. Why?

Mr. SWENSON. Sir?

The CHAIRMAN. Why?

Mr. SWENSON. Sir, I believe it might tend to incriminate me. That is the reason I don't answer, respectfully.

The CHAIRMAN. That is why I am curious to know why you are invoking the first amendment. The amendment speaking of incrimination is five.

Mr. APPELL. Mr. Swenson, I ask you if Mr. Young's testimony is truthful to the effect that Mr. Charles Pearson was appointed as Mr. Fuller's assistant in the Klan Bureau of Investigation—the assistant chief?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds that this answer may tend to incriminate me.

The CHAIRMAN. What are the duties of the KBI—the Klan Bureau of Investigation?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this answer may tend to incriminate me, standing on the fifth amendment.

Mr. APPELL. Mr. Chairman, may I suggest, if it is agreeable with Mr. Venable's client, if it is agreeable to him, that the witness use the response "Same answer," if it encompasses the amendments to which he has previously referred.

The CHAIRMAN. He may do that.

You may say you refuse to answer on the grounds previously stated.

Mr. APPELL. In the course of the organization of the Original Knights, did you appoint as an assistant to yourself as organizer, with the title of grand kleagle, as testified by Mr. Young under oath, Houston P. Morris of Monroe, Louisiana?

Mr. SWENSON. I respectfully refuse to answer on the grounds that I have heretofore refused to answer.

Mr. APPELL. With respect to the Original Knights of the Ku Klux Klan of Louisiana, did you have within the organizational structure the position of grand kludd, or chaplain?

Mr. SWENSON. I respectfully refuse to answer on the grounds this may tend to incriminate me.

Mr. APPELL. Mr. Young testified under oath that the position of grand kludd was held by his brother, Jack D. Young. Is that truthful?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds this answer may incriminate me.

Mr. APPELL. Mr. Swenson, as the National Kleagle of the Original Knights of the Ku Klux Klan, I will put it to you as a fact that in 1963 you moved across the river into Mississippi and there recruited members for the Original Knights of the Ku Klux Klan. I ask you to affirm or deny the fact.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds that it may tend to incriminate me.

Mr. APPELL. I put it to you as a fact, and I ask you to confirm or deny the fact, that you organized within the State of Mississippi some five Klaverns.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds it may tend to incriminate me.

The CHAIRMAN. Mr. Swenson, we have been unanimously directed by the full committee to conduct this investigation, and the House of Representatives, by an overwhelming vote, supplied the funds to conduct the investigation. It would be useful, in addition to the information we have gathered, and that is voluminous, if one witness would stand up and spell out in his own words the objectives of klanism. Can you do that?

What is the organization all about?

What are its functions?

What is its program?

What does it stand for?

Certainly, there are all kinds of literature issued along that line. We have that literature. I want to give you that opportunity.

Will you spell out the objectives of your Klan organization and what klanism in general stands for?

Mr. SWENSON. Have you finished?

The CHAIRMAN. Yes.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Swenson, I hand you a copy of a series of oaths administered to members of the Original Knights of the Ku Klux Klan, and I ask you if you subscribe to those oaths?

Mr. SWENSON. Do you want me to read this?

Mr. APPELL. You read it yourself, and I ask you if that is the oath you subscribe to.

The CHAIRMAN. You may read it. You sound as though you are anxious to do it. It would be perfectly satisfactory for you to read it out loud and let us question you about what you read, if that is your wish.

The question is, Do you subscribe to these oaths?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

(Document marked "John Swenson Exhibit No. 1" and retained in committee files.¹)

Mr. APPELL. Mr. Swenson, it is the result of the committee's investigation that Roy E. Davis, in reactivating a Klan group in 1960, is a member of the 1915 Ku Klux Klan organization, adopted for his organization that which was used by the Knights of the Ku Klux Klan under William Joseph Simmons.

Did the Original Knights of the Ku Klux Klan follow in toto the naturalization proceedings of the Klan headed by Mr. Simmons?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Simmons appeared before the House Rules Committee on October 12 and 13, 1921, and after setting forth the oaths, which are almost verbatim to the oaths that I have shown you, after reading the last oath under "Klanishness," Mr. Simmons said that the naturalization proceedings continued with this language:

Sirs, have you assumed without mental reservation your oath of allegiance to the invisible empire?

According to Mr. Simmons, the candidate answers "Yes," and Mr. Simmons said this statement followed, and I quote from the transcript of the testimony statement read to the candidate:

Mortal man cannot assume a more binding oath; character and courage alone will enable you to keep it. Always remember that to keep this oath means to you honor, happiness, and life; but to violate it means disgrace, dishonor, and death. May honor, happiness, and life be yours.

Was this language taken from the testimony of Mr. Simmons as part of the official proceedings of the 1915 Klan a part of your organization?

Mr. SWENSON. I respectfully refuse to answer on the grounds heretofore stated.

Mr. POOL. May I ask the witness a question?

Are you answering and taking the fifth amendment based on the grounds that your oath as a Klansman takes higher precedent than our obligation to appear before this committee and answer questions?

Is that the reason for it?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. POOL. I just asked you the reason for it. You can't get in trouble with that.

Mr. SWENSON. Sir, I have heretofore stated this, that anything I might be asked might tend to incriminate me.

¹ These oaths are similar in form to those used by the United Klans of America. See Robert Shelton Exhibit No. 4, committee report, *The Present-Day Ku Klux Klan Movement*, pp. 343-346.

Mr. POOL. You are going to look pretty bad back home when you wave the flag and say you will fight for America first. You have not the guts to testify before the committee on the things we are asking. I know you have a right to take the fifth amendment, I know that. Back home, you are not going to look very good. You keep on talking like that and the Ku Klux Klan will be out of existence sure enough, if you are not proud to testify for an organization that you have any connection with.

That is all.

The CHAIRMAN. Mr. Venable.

Mr. VENABLE. Yes.

The CHAIRMAN. Mr. Chalmers appeared as counsel for the witnesses previously before this committee. I asked Mr. Chalmers whether, in addition to the invocation of the privileges or whatever constitutional amendments were relied on, the witnesses he represented were relying on their oath of allegiance to the Klan as a reason for refusing to answer. He responded that they did not; they were relying on the constitutional privilege.

I wonder if you would mind giving your views as a lawyer on that. Are you relying on the oaths taken by your client, Mr. Swenson, as a member of the Klan, and I know you are familiar with them—that series of oaths—as a basis for refusal to answer questions before this committee?

Mr. VENABLE. Your Honor, we are relying on the first amendment on the grounds if a person should be compelled to answer, it might indicate that he was a member and, further, it would violate his rights to peacefully assemble, freedom to discuss their grievance under the first amendment. And under the fourth amendment—he invokes it, we invoke it—there are certain matters and things that might compel him, if it pertains to documents and records and books, that that would be a violation of his rights under the freedom to have and retain personal effects, and if you were compelled to produce them and if they would incriminate you, they would incriminate you. The fifth amendment says he shall not be a witness against himself.

Last but not least, the 14th amendment, as I understand the Supreme Court has so held and ruled, if any of your rights are being violated, they would be in violation of the 14th amendment. You would not have equal protection of law under the first, fourth, and fifth. The sixth amendment too.

The CHAIRMAN. My question was whether the basis of your advice to your client for refusing to answer is these constitutional amendments?

Mr. VENABLE. Yes.

The CHAIRMAN. And you are not relying on his oath as a Klansman as a reason for refusing to answer?

Mr. VENABLE. That's right, your Honor.

The CHAIRMAN. That is my question.

Mr. VENABLE. Yes, sir; that's right.

The CHAIRMAN. Meaning what—that you are or are not?

Mr. VENABLE. If he identified that oath and admitted that he took that oath, an oath similar to that oath, then he would admit that he was a Klansman, and if he is part of a machinery or group then some of them would be involved.

The CHAIRMAN. I understand. I think I understand you better than you understand me.

Mr. VENABLE. Yes, sir.

The CHAIRMAN. The oath taken by a member of the Klan is, in short, a pledge of secrecy, and conceivably, outside of what the decisions may say—

Mr. VENABLE. Yes, sir.

The CHAIRMAN. —conceivably a person, a member of the Klan who has taken that oath, could appear before the committee and say, "I have taken an oath of allegiance and loyalty to my organization. I believe in that oath so firmly that I am not going to say anything about the activities of my organization. I am not relying on the constitutional amendments. I am relying on my fealty of allegiance and dedication to the oath of a Klansman as the reason for refusing."

You are not relying on that oath as a matter of law, as I understand it.

Mr. VENABLE. That is right.

The CHAIRMAN. You are relying on the constitutional amendments?

Mr. VENABLE. Yes, sir.

The CHAIRMAN. That is what I wanted. That was the position—

Mr. VENABLE. We are not trying to hide the oath. We are just invoking those constitutional amendments.

The CHAIRMAN. If you relied on the oath, we would have some questions. You are not relying on it as a basis for refusing?

Mr. VENABLE. That is right.

Mr. POOL. Mr. Venable, since you have explained all that very nicely, will you go further and say Congress has no right to investigate anything?

Mr. VENABLE. No, I don't state that. I think Congress should have the right.

Mr. POOL. Where do they have a right to investigate? Where do you limit it?

Mr. VENABLE. They have a field to investigate many things, if your Honor please. Where it involves a person's rights and privileges as guaranteed under the Bill of Rights, then this Congress, this committee, or any other person has no right to compel a person, to make a person produce evidence which might tend to incriminate him in a conspiracy or intend to incriminate him in a law violation.

Mr. POOL. Is the Ku Klux Klan a conspiracy?

Mr. VENABLE. No, it is not a conspiracy. There are 43 separate Klans.

Mr. POOL. You don't know anything about the Ku Klux Klan?

Mr. VENABLE. I know a little bit about it, yes, sir, having been in it quite a while. I am proud of it.

Mr. POOL. You may have good ground for what you are saying. You know more about it than I do. Maybe you are right, that you should plead the fifth amendment. I don't know.

Mr. VENABLE. I am not pleading the fifth amendment myself, as you know. I never have "pled" it and I never will.

Mr. POOL. The Klan pleads it.

Mr. VENABLE. I never invoked the fifth amendment as far as being a lawyer.

Mr. POOL. I am getting tired of sitting here and all these niceties going on. When we get down to basic facts, I will ask questions along that line. We will just get right down to it.

Mr. VENABLE. I thank you. I have a right to advise my client.

Mr. POOL. You certainly do.

Mr. VENABLE. Yes, sir.

Mr. POOL. And I have a right to talk to you, so we will talk a little bit more if you want to.

Mr. VENABLE. Yes, sir.

Mr. APPELL. Mr. Swenson, you are appearing before the committee today in accordance with a subpoena served upon you on October 27, 1965, and extended by formal telegrams from the committee?

Mr. SWENSON. Yes, sir; and I turn these in.

Mr. APPELL. You keep them. You are appearing in accordance with that subpoena? You are appearing here this morning because of the subpoena served upon you?

The CHAIRMAN. That is a proper question.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. It doesn't involve constitutional questions.

Mr. SWENSON. I am sorry, sir, but I am not an attorney.

The CHAIRMAN. I understand.

Mr. SWENSON. I am appearing here according to this subpoena.

Mr. APPELL. An attachment to that subpoena, which was made part of the subpoena, calls in three paragraphs for you to produce certain books and records. Paragraph 1 calls for you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan—Louisiana, in your possession, custody or control, or maintained by you or available to you as present or past officer and/or member of the Original Knights of the Ku Klux Klan—Louisiana.

I now demand that you produce those documents called for.

Mr. SWENSON. I am respectfully refusing to produce these records, sir, that they may tend to incriminate me.

Mr. APPELL. Mr. Chairman, I ask for a direction of the production of documents called for in paragraph 1.

Mr. SWENSON. Sir, I am adding to this that this would be in violation of my fourth and fifth amendments of the Constitution.

The CHAIRMAN. Mr. Swenson, I wanted to ask this question for the record, and I assume counsel will understand. The question is this: You understand, of course, that the part of the subpoena duces tecum just read calls for you to produce those documents in the representative capacity stated in the subpoena; do you not? You understand that? In other words, and I wish counsel would hear this, this part of the subpoena in paragraph 1—and I assume it is true in the succeeding two next paragraphs, so I will not have to repeat everything—calls on you as an officer, or in a capacity stated here, to produce the documents in your possession as stated in that capacity. You understand that; do you?

Mr. SWENSON. Yes.

The CHAIRMAN. Because it makes a difference, to be fair with you, between calling on you to produce, for example, your own income tax return or your own papers, and papers that we say you have or had in a representative capacity. There is a distinction between the two.

I will repeat this—you understand that under this subpoena you are being asked and directed to produce documents in the capacity stated and not as J. B. Swenson, the man. You understand that; do you?

Counsel, do you understand that?

Mr. VENABLE. Yes, sir.

The CHAIRMAN. That being the case, I now order and direct you to produce those documents in the capacity stated in the subpoena, and I will try to explain to you as a layman this—I am repeating that this is an order directed to you to submit documents, papers, and records which we say you have, or had, in that representative capacity, and since we do not accept your right to refuse to do so in the capacity stated, that is why I am ordering you to produce them. I am referring now to documents described in paragraph 1 of the attachment to this subpoena.

Mr. SWENSON. May I consult counsel, please?

The CHAIRMAN. Surely.

Mr. SWENSON. Sir, as far as records of the Klan organization, I do not have any of those records. I guess I don't know what you are talking about except it is something that you showed me here, but I don't have any records whatsoever of the Klan in my possession now at all.

I did bring my personal income tax return which you asked for.

The CHAIRMAN. We haven't reached that. I didn't realize it had been asked for, frankly. I just wanted to explain the call of this particular portion of the subpoena.

Mr. SWENSON. I have none, sir.

The CHAIRMAN. You are now saying that you cannot produce those documents called for in the capacity stated because you do not have them?

Mr. SWENSON. No, sir.

The CHAIRMAN. That is the reason you do not produce them?

Mr. SWENSON. That is right.

The CHAIRMAN. And you know you are under oath?

Mr. SWENSON. Yes.

Mr. POOL. Mr. Chairman—did you ever have possession of these documents?

Mr. SWENSON. Mr. Pool, what was the question, sir?

Mr. POOL. Did you ever have possession of these documents that he just asked for under the subpoena?

Mr. SWENSON. I have had no documents since I have been subpoenaed, sir. I have had no documents like this.

Mr. POOL. Did you ever have possession of these documents?

Mr. SWENSON. Sir, you are asking me a direct question? Is that right, sir?

Mr. POOL. Sure I am asking the question.

Mr. SWENSON. I respectfully refuse to answer this question, sir, on the grounds heretofore stated.

Mr. POOL. You just got through testifying the you didn't have possession of them. The proper question then would be whether you ever had possession of these documents. It is a very proper question, and you should answer it.

Mr. Chairman, I ask you to direct him to answer.

The CHAIRMAN. We are now cross-examining you on your previous answer. You said, in answer to my question, that you were not producing those documents for the reason that you didn't have them.

Now, Mr. Pool asked whether you ever had them. That is a proper question.

Furthermore, if you persist in refusing to answer that one, I have two or three of my own I want to ask. So the pending question is this: Did you ever have possession of those documents? I order and direct you to answer that question.

Mr. POOL. Mr. Chairman, I will give him warning on the probability of contempt if he doesn't answer this question.

Mr. SWENSON. Sir, may I get a clarification on that? What records are you speaking of now on this?

The CHAIRMAN. Mr. Appell will explain it.

Mr. SWENSON. That you asked me if I ever had.

Mr. APPELL. [Reading:]

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan—Louisiana, in your possession, custody or control, or maintained by you or available to you as present or past officer and/or member of the Original Knights of the Ku Klux Klan—Louisiana.

The CHAIRMAN. Let me supplement that so it will be completely clear, Mr. Swenson. The subpoena asks you to produce any kind of books, any kind of records, any kind of documents, any kind of correspondence, any kind of memoranda relating to the organization of, and the conduct of, the business and affairs of the Original Knights of the Ku Klux Klan, whether those documents were—and as broadened by Mr. Pool—are or ever were, in your possession or under your control or maintained by you or available to you either as present or as a past officer and/or as a member of the Original Knights of the Ku Klux Klan of Louisiana.

That is a broad question. It is a broad order. This subpoena follows the pattern of subpoenas of this kind, and that is what Mr. Pool's question is. I have ordered you to answer it. Having said that you do not now have them, he is asking you—have you ever had any kind of book, record, document, or correspondence or memoranda in the capacity indicated, whether as a present officer or a past officer or a present member or a past member?

In answer to me, you said you couldn't produce them because you didn't have them.

Well, now, we have the right to ask you—sure you don't have them now, and that is an acceptable answer. I didn't direct you to answer that question. You said you didn't have them, and you are under oath. But now the question is this—you say you don't now have them: What did you do with them? Did you just leave them home or give them to a friend so you would not be called upon to produce them? That is the question we are now asking you.

If you don't have them now the question is, Have you ever had them?

Mr. POOL. Mr. Chairman, I want to ask counsel how long he wants to take. How about the recess?

The CHAIRMAN. What is your answer?

Mr. SWENSON. Sir, I would like to speak to my counsel just a little longer if you don't mind, please.

The CHAIRMAN. The committee will stand in recess for 5 minutes.

(Whereupon, at 11:05 a.m., the subcommittee recessed and reconvened at 11:11 a.m. Subcommittee members present at time of recess:

Representatives Willis, Pool, Weltner, and Buchanan and when hearings resumed: Representatives Willis, Pool, and Weltner.)

The CHAIRMAN. The committee will come to order.

Mr. SWENSON, you having consulted with counsel, and I think another one came to your table during this recess, I ask for an answer to the pending question.

Mr. VENABLE. Have the question repeated first so you will understand.

Mr. SWENSON. Will you repeat that question again, sir? I think I understand it, but I want to be sure, sir.

The CHAIRMAN. In answer to my question you said you could not produce books, records, documents, correspondence, and so on, because you don't have them. I accepted that, because you are under oath. I accepted it temporarily, anyway, because that is your position and you are under oath.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Mr. Pool asked you, and that is the pending question—well, you say you don't have them: Have you ever had them either in your possession or custody or control, and whether you maintained those records or whether they are or were available to you? That is the question.

Having said you don't have them, did you ever have possession, custody, or control of these records? Did you ever maintain them? Were they ever available to you?

(At this point Mr. Buchanan entered the hearing room.)

Mr. POOL. That is the pending question. I will direct you to answer.

The CHAIRMAN. Yes, and I am directing him to answer.

Mr. SWENSON. Sir, the records that you are referring to, I don't know how many or what kind that you have in mind, and so on, but any books, paraphernalia, correspondence, or anything that I had in my possession this past March, a year ago, this all was burned, destroyed completely.

The CHAIRMAN. They were burned and destroyed?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Who burned them?

Mr. SWENSON. I burned them.

The CHAIRMAN. All the records?

Mr. SWENSON. All records that I had in my possession.

The CHAIRMAN. All books?

Mr. SWENSON. All books. In other words, everything that I had in my possession; yes, sir.

The CHAIRMAN. Why did you do that?

Mr. SWENSON. I did that so it wouldn't get into the hands of the enemy.

The CHAIRMAN. Who is the enemy?

Mr. SWENSON. I am speaking of the Communists and the elements of communism.

The CHAIRMAN. What do you mean by that?

Mr. SWENSON. I just say I didn't want it to get into the hands of Communists.

The CHAIRMAN. What would make you believe that they would? Are you friendly with the Communists?

Mr. SWENSON. No, sir, definitely not.

The CHAIRMAN. I didn't say you were. I am not being facetious.

Mr. SWENSON. May I say something that does not have anything to do with this, sir?

The CHAIRMAN. You are speaking freely. That is what I want you to do, and we will have a nice time questioning you. I am not saying that as a basis for your not talking. On the contrary, I am delighted.

Mr. SWENSON. Sir, I respect this committee, very, very much. I am not against the committee. I respect it.

The CHAIRMAN. All right.

Mr. SWENSON. I am trying to answer your questions, sir, without incriminating myself.

The CHAIRMAN. When was it that you destroyed them? March of last year, you say?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. March of 1965 or 1964? We are just entering 1966.

Mr. SWENSON. March of 1964.

The CHAIRMAN. March of 1964.

Mr. POOL. That is 2 years ago.

Mr. SWENSON. Two years ago approximately.

The CHAIRMAN. That is March of 1964?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. I understand you had reference to last year because we are in only the 3d or 4th of January. You were picturing yourself as still being in the year 1965. You destroyed, you burned them in March of 1964?

Mr. SWENSON. Approximately; yes, sir.

The CHAIRMAN. Did you consult with your fellow officers in doing that, or did you take it upon yourself? Or, if that question embarrasses you, I will ask you this—did you consult anyone?

Mr. SWENSON. Sir?

The CHAIRMAN. Did you take it on yourself?

Mr. SWENSON. Did I do what now, sir?

The CHAIRMAN. Did you consult anyone?

Mr. SWENSON. No, sir, I consulted no one.

The CHAIRMAN. You just took it upon yourself to burn those records?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. And you say under oath you did that because you didn't want those records to fall into the hands of the "enemy." That is your sworn testimony?

Mr. SWENSON. Sir, I didn't want them stolen, so that's the reason. I had reason to believe that they might be stolen, so I burned them.

The CHAIRMAN. Was there anything in those records which, if they fell into the "hands of the enemy," would be damaging to you as an individual or to your organization?

Mr. SWENSON. You asked me, sir, I believe, why did I—

Mr. APPELL. What documents?

The CHAIRMAN. My question was what, if anything, was contained in those records, whatever they may be, that you felt would be dam-

aging to you or to your organization if they did fall in the hands of "the enemy"? This is another way of saying—what was it that you felt should be destroyed because if the enemy got hold of them and read them that something bad would happen to you, your organization, or you can say to your country? I will allow you to say anything that you have in mind.

Mr. SWENSON. Sir, I don't know of anything definite. It is just that the material that we are speaking of the Communists would like to get their hands on it. Of course, I imagine they have it now. Actually, it just wasn't supposed to be where it could be stolen by any enemy organization of our country.

The CHAIRMAN. I have a very few questions. I don't want to haggle with you. You are under oath and time will tell what happens.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Was there, in addition to your fear that they might be stolen or used by "the enemy," a feeling on your part that they might be subpoenaed and that you didn't want them subpoenaed in the future?

Mr. SWENSON. Sir, no, sir. No, sir.

The CHAIRMAN. And that is your testimony under oath?

Mr. SWENSON. This was March of 1954, sir.

The CHAIRMAN. 1964.

Mr. SWENSON. 1964; I am sorry.

Mr. POOL. May I ask some questions here? Where did you burn these papers and records and things? Where were you when you burned them?

Mr. SWENSON. You mean the city?

Mr. POOL. Were you in a house, a barn, out in the country? Where were you?

Mr. SWENSON. No, sir; it was in my back yard.

Mr. POOL. Your back yard?

Mr. SWENSON. Yes, sir.

Mr. POOL. Who was there with you?

Mr. SWENSON. No one.

Mr. POOL. Do you have a witness there to say you burned them?

Mr. SWENSON. No one.

Mr. POOL. In the daytime or night?

Mr. SWENSON. In the daytime.

Mr. POOL. Do you remember what day?

Mr. SWENSON. No, sir, I don't.

Mr. POOL. What records did you burn?

Mr. SWENSON. Sir, I burned the records that we were speaking of just now, that he asked me about.

Mr. POOL. Call them off. Did you burn the minutes of the meeting? Did you burn the membership lists? Call off the things. You know what they are.

If you were afraid the Communists would get hold of them you certainly knew what they were.

Mr. SWENSON. Sir, it was just literature or documents. It was no membership list. I haven't had any membership list.

The CHAIRMAN. Did they include any financial records, records of money you received, because it is my understanding that you will be questioned about financial transactions. This is a proper question as I am sure your lawyer will agree.

You said that the reason for burning them was that you didn't want them to fall into the hands of the enemy, which you described as the Communists.

Then I asked you, in addition to that reason were you fearful that they might be subpoenaed. You said "No."

Now I am asking you if any of the documents that you burned had to do with financial records, that is, receipts, evidence of money received as dues, for robes, or anything else, any financial records involved that were burned?

Mr. SWENSON. Sir, the question that you asked me, if I answer that it may tend to incriminate me in you asking for certain things.

The CHAIRMAN. Well, are you invoking constitutional privilege and the fifth amendment at this point?

Mr. SWENSON. Fourth and fifth; yes.

The CHAIRMAN. The fourth and fifth.

Mr. SWENSON. Respectfully, Mr. Willis, I am trying my best to—

The CHAIRMAN. I understand that. I am trying my best to be fair and yet to develop evidence. If in answer to my question as to whether there were any financial records involved you invoke the fourth and fifth amendments, I at least accept your invocation of the fifth as far as I am concerned, because you are under oath and you can invoke your privileges.

Mr. POOL. How about the membership list, though? You don't remember whether they were in there or not; do you?

Mr. SWENSON. Sir, that is something I have never had, this membership list.

Mr. POOL. You have never had custody, control, or possession of the membership list of any Ku Klux Klan organization? Is that what you are saying?

Mr. SWENSON. Sir, the only thing I am saying is numbers.

Mr. POOL. I didn't get you. You haven't answered my question.

Mr. SWENSON. Just a minute, Mr. Pool. I am sorry.

Mr. POOL. You have never had custody, possession, or control of the membership list of any Ku Klux Klan organization, is that right, the membership list?

Mr. SWENSON. Sir, what do you mean by list, sir?

The CHAIRMAN. He said, Mr. Pool, the only thing he saw was numbers. Maybe the list was numbers rather than names.

Mr. POOL. I understand. You are referring to numbers instead of the names. Were you ever in control, possession, or custody of any lists of members whether by numbers or by names?

Mr. SWENSON. Would you give me just a few minutes, sir?

Mr. POOL. Yes.

Mr. SWENSON. Sir, this answer may tend to incriminate me. I invoke the fifth amendment on this one, sir, respectfully, sir.

The CHAIRMAN. Let me say that technically, in the decisions of the Supreme Court, you have opened yourself to examination on these questions. I do not want to be supertechnical, but I will have to direct you to answer that question. I think you opened up the door when you said the only thing you saw was numbers, and thereby that makes this question proper, so I will direct you to answer that question—whether or not you ever had a list of members, whether by names or by

numbers. To that you invoked the fifth amendment. I simply do not accept that invocation at this time.

You can consult with counsel. If you want to reinvoke your privileges under my order, I am not your lawyer, but you do what your lawyer tells you.

Mr. SWENSON. The question was did I ever have numbers.

The CHAIRMAN. You said that yourself.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. You said you saw numbers.

Mr. SWENSON. Yes, sir.

The CHAIRMAN. The only thing you saw was numbers, not names. The pending question is: Did you have possession of a list of members, either by names or numbers, and was that list or series of numbers on pieces of paper included in the bonfire you had in your office?

Mr. SWENSON. What numbers I had, sir, yes, was included in the bonfire.

Mr. POOL. You testified a little earlier that it wasn't in there.

Mr. SWENSON. No, sir, if it is read back, I am sorry, sir, respectfully.

Sir, all the records that I had—I don't want to get confused and I don't want to cause you any delay here.

Mr. POOL. All right, did you burn the membership list when you burned—

Mr. SWENSON. I burned everything I had in my possession, sir. As far as membership list is concerned, all I know anything about is numbers, and everything that was in my possession was burned.

The CHAIRMAN. Including the numbers?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Papers with Klans by numbers. You burned them?

Mr. SWENSON. Sir, it was numbers. That is all I can—

Mr. POOL. He hasn't answered the question. He is evading the question. That is why I am trying to pin him down.

Did you, or did you not, burn the membership list, either by numbers or names, out there in the backyard the day you burned all the other records you claimed here a while ago?

(Witness confers with counsel.)

Mr. SWENSON. Sir, the numbers that you are speaking of were burned; yes, sir. Everything that I had in my possession was burned.

Mr. POOL. What Klavern or what was the list of? What Klavern?

Mr. SWENSON. Sir, respectfully, I believe we were speaking of documents of the organization.

Mr. POOL. Of the total organization.

Mr. SWENSON. You asked me what became of them.

Mr. POOL. What did the numbers pertain to? What membership did they pertain to? What organization are we talking about?

The CHAIRMAN. The document calls for matters referring to the Original Knights of the Ku Klux Klan—Louisiana. That, I take it, is what you are referring to.

Mr. SWENSON. Let me talk to my counsel.

(Witness confers with counsel.)

Mr. SWENSON. Sir, I respectfully say that I have answered your question on what happened to the records which you asked me to produce here. They were destroyed. The question which is being

asked me now will tend to incriminate me under the fifth amendment—fourth amendment.

Mr. POOL. After this numbers list was destroyed or misplaced or whatever happened to it, how did the organization get along without a numbers list?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

Mr. POOL. Are we talking about the numbers list or membership of the Original Knights of the Ku Klux Klan? Is that the list you are claiming was burned in that fire?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. POOL. Mr. Chairman, I ask that the witness be directed to answer because I think he opened it up for cross-examination and he should be directed to answer the question.

The CHAIRMAN. I have already ruled that these questions are pertinent under the decisions and might lead to whatever legal remedy is available to us under the law. I have directed him to answer the question already, and he has reinvoked his amendment on which he relies, despite my admonition. That is where we stand. He stands on his position, and I stand on mine. In other words, I have already directed him to answer the question.

Mr. WELTNER. With regard to the documents previously discussed as required by the subpoena and with regard to the witness' explanation that the records were destroyed pursuant to his fear that they would fall into the hands of the enemy, I would ask the Chair's permission to read briefly from transcript of the executive session held on July 28, 1965, being a transcript of the testimony of Royal V. Young, Route 1, McDade, Louisiana. With the Chair's permission and with the attention of the witness, I would request the witness pay close attention to Mr. Young's sworn testimony with regard to the "hands of the enemy."

Mr. Young testified concerning a division in the Original Knights, stating that he was assigned to various offices under Mr. J. D. Swenson, the witness today. Then he was asked about the nature of the faction. Mr. Young stated, now quoting:

There is no explaining to it. Some people wanted to take over the manufacturing of the robes, and one man had it, and that was it. That is the only thing I can tell you. Power purge.

Mr. APPELL. Now, who was the man that had the jurisdiction of the manufacturing of the robes?

Mr. YOUNG. Everyone in the United States knows that, and also your investigators. Mr. Swenson.

That is on page 257 of the transcript. On page 293 the witness Young further states:

Let me straighten this out. The relationship to the money was not to the money of the Klan. It was to the money of the robe money. That was most of the argument.

Further on page 262, Mr. Young in identifying this faction stated under oath as follows:

Mr. APPELL. Who were the leaders in this faction against you?

Mr. YOUNG. Sir, this was the Murry Martin and Mr. Wilder.

Mr. Chairman, the executive testimony of Mr. Young, previously released, shows there was a struggle over the robe money; that Mr. Swenson had the concession and it was given to him by Mr. Davis, of the State of Texas; and that it was in the period March 1964 that Swenson and Young lost out on the Original Knights of the Ku Klux Klan.

My question to Mr. Swenson is this—he said he burned the records to keep them from falling into the hands of the enemy: Mr. Swenson, you were afraid, were you not, that these records would fall into the hands of the enemy, Murry H. Martin and Billy Skipper, who led this revolt against your leadership; is that not true?

Mr. SWENSON. Sir, I would like to say I have already answered who I thought the enemy might be. We were then speaking of the records. As I say, I am not an attorney. I will have to consult with my attorney. The books and records that you asked, that were subpoenaed, that you asked to bring here, are no longer to be obtained. They are not here.

Mr. WELTNER. Mr. Chairman, he has burned the records. Let me restate the question to be sure the witness has it in mind.

You stated, Mr. Swenson, you burned the records in March of 1964 for fear that they would fall into the hands of the enemy. You further stated that you meant by the enemy, the Communists. You stated also that they are probably in the hands of the Communists now, anyway.

I have directed your attention to the sworn testimony of Royal V. Young concerning this controversy in March of 1964. I am asking you whether or not the truth of the matter is that the enemy into whose hands you feared these records might fall were Murry Martin, Grady Wilder, and Billy Skipper, who challenged you and Mr. Young for the leadership of the Original Knights of the Ku Klux Klan of the State of Louisiana. Isn't that the fact, Mr. Swenson?

Mr. SWENSON. Sir, I didn't fear that they would fall into Mr. Martin's hands, that you are speaking of, or anyone else except the Communists, that I was speaking of. I believe that is about the only way that I know how to answer you on that, sir, respectfully.

Mr. WELTNER. Did you consider Messrs. Martin, Wilder, and Skipper as your enemies?

Mr. SWENSON. Sir, on your question I refuse to answer on the grounds heretofore stated.

The CHAIRMAN. You mean by that, the 1st, the 4th, the 5th, and the 14th amendments, and particularly the 5th amendment?

Mr. SWENSON. Yes, sir, respectfully.

Mr. POOL. Mr. Chairman, I ask that the witness be directed to answer the question.

The CHAIRMAN. I will direct you to answer that question because this examination is quite proper and perfectly obvious. Mr. Swenson, the reason is this: It is just as simple as daylight. A witness cannot very well appear before a committee and extol his virtues in a certain area and then, having done that, start invoking the fourth and fifth amendments under cross-examination. That is not permissible. The question Mr. Weltner is asking is perfectly proper, and I think quite obvious. I do direct you to answer that question.

(Witness confers with counsel.)

Mr. SWENSON. Sir, you are still talking about the records?

The CHAIRMAN. That is right. That is, we are still talking about Mr. Weltner's question, and it is that the reason for burning the records was not so much fear of the enemy, meaning the Communists, but you were afraid that these records might fall into the hands of the people that you were having a financial struggle and intraorganizational fuss going on with. That is what he is asking.

Mr. SWENSON. Sir, I didn't know anything about this fuss, except what you have read there which Mr. Young has said.

The CHAIRMAN. Let me say that Mr. Young when he appeared, like you, was under oath. He was under the pains and penalties of perjury. Now you are opening up the question some more. We want to give you the opportunity to talk about the lack of any intraorganizational struggle, including financial transactions concerning robes at that time. If that is your testimony under oath, Mr. Swenson, that is the end of it with me.

Mr. SWENSON. Sir, I have forgotten the first question.

The CHAIRMAN. Just once more and then it will be over. Will you repeat the question?

Mr. WELTNER. The question is as follows: You stated in response to the subpoena that you did not have them since March 1964, that you destroyed them in your backyard, and the reason you did so was to prevent their falling into the hands of the enemy, and you identified the enemy as the Communists. I have read to you the excerpt from the transcript of July 28, 1965, concerning a struggle between you and Mr. Young and Grady Wilder and Billy Skipper concerning the robe money and the organization. I am asking you if it is not true that the enemy into whose hands you feared these records might fall were not the Communists, but Grady Wilder, Billy Skipper, and Murry Martin.

Mr. SWENSON. No, sir, the Communists were the ones I was afraid they would fall into the hands of.

Mr. WELTNER. All right, that is an answer to the question.

Were there among the records that you destroyed any records pertaining to the manufacture, sale, or distribution of robes among members of the Original Knights of the Ku Klux Klan?

(Witness confers with counsel.)

Mr. SWENSON. Sir, on this question I refuse to answer on the grounds heretofore stated.

Mr. WELTNER. Do you have knowledge of the existence or location of any other records pertaining to the Original Knights of the Ku Klux Klan or any other Ku Klux Klan organization, Mr. Swenson?

Mr. SWENSON. Sir, will you give me that question once more?

Mr. WELTNER. Do you have knowledge of the existence or location of any other records pertaining to the Original Knights of the Ku Klux Klan or any other Ku Klux Klan organization?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated, on the fourth and fifth amendments.

Mr. WELTNER. Mr. Swenson, in Mr. Young's testimony of July 28, 1965, concerning the internal struggle within the Original Knights

organization, he stated in response to a question—the question is as follows:

Mr. WELTNER. Mr. Young, what did the dissenting group feel was the proper program? What kind of activities did they want you to lead them into?

Mr. YOUNG. Sir, I don't know. I will decide, and show you one incident that might suffice. They wanted to burn crosses at the polls at the election in 1963, and I put out specific orders that was to be ruled out because I did not believe in intimidation of the voters. * * *

Mr. WELTNER. Did you consider the act of burning the cross in and of itself to be an intimidation?

Mr. YOUNG. I did. I figures that there was some people might see those crosses and fail to go to vote.

My question is, Were you aware of the controversy identified by Royal V. Young concerning burning of crosses at the polls in 1963?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated—the first, fourth, and fifth amendments.

Mr. WELTNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Are there any further questions?

Mr. APPELL. Mr. Swenson, with respect to your reason for destroying the records that you have testified to in response to questions asked by members of the committee, I put it to you as a fact that, immediately prior to the destruction of the records, by action of the membership you were voted out of any office that you held, together with Mr. Royal V. Young.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I put it to you as a fact that the reason the membership took this action, or the leaders took this action, was because of charges leveled against you of enriching yourself handsomely over the sale of robes.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I ask you, if these records which you destroyed had fallen into the hands of the faction that was opposing you, it would have documented the charges they were making against you?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Swenson, part 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the Original Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

The CHAIRMAN. I think we could shorten the examination on item 2 and probably item 3 of the subpoena, certainly item 2, if I made this statement, and then if you say that the same situation with reference to these documents obtains as that concerning the documents required in paragraph 1. In other words, you took the position with reference to paragraph 1 that the documents therein listed were not in your possession, and then we examined you as to whether they had been in your possession. Then you said you had destroyed them by fire. Then we examined you on this. Is it the same situation that your answers

with reference to paragraph 2 would be the same as with reference to paragraph 1?

If you want to go through it in that way, it is all right with me. So I ask you specifically: Do you now have possession of these documents? Do you now have possession of the documents called for in paragraph 2?

Mr. SWENSON. Sir, it is the same thing in paragraph 1.

The CHAIRMAN. Your answer is that you do not have them?

Mr. SWENSON. Yes, sir.

The CHAIRMAN. Is it your answer that they were consumed by fire under the same circumstances with reference to paragraph 1?

Mr. SWENSON. Yes, sir.

Mr. APPELL. Part 3, Mr. Swenson—

The CHAIRMAN. Counsel, is it agreed that the pertinent questions and answers with reference to paragraph 1 would be the same with reference to paragraph 2?

Mr. VENABLE. Yes.

The CHAIRMAN. In other words, No. 1, your answer is that you do not have those documents; is that correct?

Mr. SWENSON. No, sir.

The CHAIRMAN. No. 2 is that you destroyed them in a bonfire—

Mr. SWENSON. Yes, sir.

The CHAIRMAN. —under the same circumstances with reference to paragraph 1. If we asked you the same questions, your answers would be the same; is that correct? I think that is what counsel indicated.

Mr. VENABLE. Yes, sir. That is right.

The CHAIRMAN. That is agreed to, Counsel?

Mr. VENABLE. Yes, sir.

Mr. POOL. Could I ask him if he destroyed by fire the records that the "Constitution and Laws" of said organization authorize and require be maintained by him? Were these also destroyed by fire?

(Witness confers with counsel.)

The CHAIRMAN. Is that correct?

Mr. SWENSON. Yes, sir.

Mr. POOL. In other words, you burned the constitution and bylaws along with all the other records; is that correct?

The CHAIRMAN. No. I think specifically he burned the records required by the constitution and bylaws to be kept.

Mr. POOL. Which included the constitution and bylaws.

Let me ask it of you in another way. In other words, you burned the very documents that the constitution and bylaws required that you keep; is that correct?

Mr. SWENSON. Sir, anything that I had in my possession, as I stated in paragraph 1 there, was destroyed.

Mr. POOL. Including these documents that the constitution and bylaws required that you keep.

Mr. SWENSON. Sir, respectfully, all the paraphernalia that you asked for in paragraph 1 and paragraph 2 here were destroyed.

Mr. POOL. Can you answer my question and say "Yes"? Is that correct, that you burned the documents that the constitution and bylaws required that you keep?

The CHAIRMAN. Or those are among the documents that you destroyed, whatever you had.

Mr. SWENSON. What you have stated here, sir—

The CHAIRMAN. What you are answering is yes in a roundabout way.

Mr. SWENSON. Yes, sir.

Mr. POOL. In other words, your constitution and bylaws did not mean a whole lot to you; did it?

Mr. SWENSON. Sir, if I answer this question, it will tend to incriminate me in the language it was asked. I respectfully answer you that I have none of these records in my possession.

Mr. POOL. I understand that.

The CHAIRMAN. But you are refusing to answer the last question on the grounds of the privileges afforded to you under the constitutional amendments which you have previously invoked. That is what you are doing.

Mr. SWENSON. Yes.

Mr. POOL. That is fine and dandy. I think it is a terrible situation when you just ignored the constitution and laws of the organization like that and burned the records which you were supposed to keep under the constitution and bylaws. That is all I am trying to point out.

Mr. APPELL. Mr. Swenson, paragraph 3 called for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask you to produce those documents.

Mr. SWENSON. May I consult my attorney?

(Witness confers with counsel.)

Mr. SWENSON. Sir, I am respectfully refusing to produce my personal income tax records since they may tend to incriminate me, on the fifth amendment.

The CHAIRMAN. You said you had them with you a while ago, but I am not going to insist that you produce the income tax returns if you invoke the fifth amendment in that respect. It might ease a lot of pain later on, because we will question you about the finances.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny, that the cover name used while you were the National Kleagle and Grand Dragon of the Original Knights of the Ku Klux Klan was the Louisiana Rifle Association.

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated, on the first, fourth, and fifth amendments.

The CHAIRMAN. Let me ask the question in a different way. Is it not a fact that you used the Louisiana Rifle Association as a coverup and as a phony front organization for the Ku Klux Klan organization?

Mr. SWENSON. Sir, I very respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Swenson, you said that you have with you retained copies from your Income Tax Returns, Form 1040. I put it to you as a fact, and ask you to affirm or deny the fact, from your retained copies of your income tax returns that for the year 1962 you reported commissions from the Louisiana Rifle Association in the amount of \$4,473; in the year 1963, \$10,690; and that in 1964 up until the time you were removed, \$1,781.66. I ask you to affirm or deny the fact that these are the figures that you reported on your tax returns.

Mr. SWENSON. May I confer with my counsel?

(Witness confers with counsel.)

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated, based on the fifth amendment to the Constitution of the United States.

(Income tax returns marked "John Swenson Exhibit No. 2" and retained in committee files.)

Mr. APPELL. Then the charges made against you that you were enriching yourself were in fact truthful. Is that so?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

(At this point Mr. Willis left the hearing room.)

Mr. POOL (presiding). Mr. Appell, this is in addition to other income he reported?

Mr. APPELL. Yes, sir.

Mr. Swenson, what part of the income from the Original Knights of the Ku Klux Klan, which maintained a national account and a local account under the name of the Louisiana Rifle Association, did Royal V. Young receive?

Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Chairman, I think the record should reflect that in the interrogation of Mr. Royal V. Young on July 28, 1965, Mr. Young also invoked constitutional privileges with respect to the finances of the Original Knights of the Ku Klux Klan, of which he was the Imperial Dragon, as to whether or not he shared in the profits made by Mr. Swenson on the exclusive sale of robes which Mr. Swenson had received as a commission from Roy E. Davis.

Mr. POOL. If there is no objection, the record will so show and it is so ordered.

Mr. APPELL. Mr. Swenson, so the record might establish that the Louisiana Rifle Association was, in fact, the cover name of the Original Knights of the Ku Klux Klan, I put it to you as a fact, and ask you to affirm or deny the fact, that one of the Klaverns under your jurisdiction was the Monroe Hunting and Fishing Club in Monroe, Louisiana.

(At this point Mr. Willis returned to the hearing room.)

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I hand you two envelopes, one containing canceled checks drawn against the account of the Monroe Hunting and Fishing Club, payable to the Louisiana Rifle Association, endorsed by the Louisiana Rifle Association, and another envelope containing checks against the account of the Monroe Hunting and Fishing Club, payable to cash, and endorsed by J. D. Swenson. I ask you, after you examine the contents of these envelopes—will you also examine the other envelope, Mr. Swenson, and the checks endorsed by J. D. Swenson?

Mr. Swenson, do the checks made payable to the Louisiana Rifle Association by the Monroe Hunting and Fishing Club represent per capita dues to the state and national office, together with a portion of the membership fees due to the office on the initiation of a new member?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Regarding the checks endorsed by J. D. Swenson, do these checks represent payments for robes that you had the exclusive concession for?

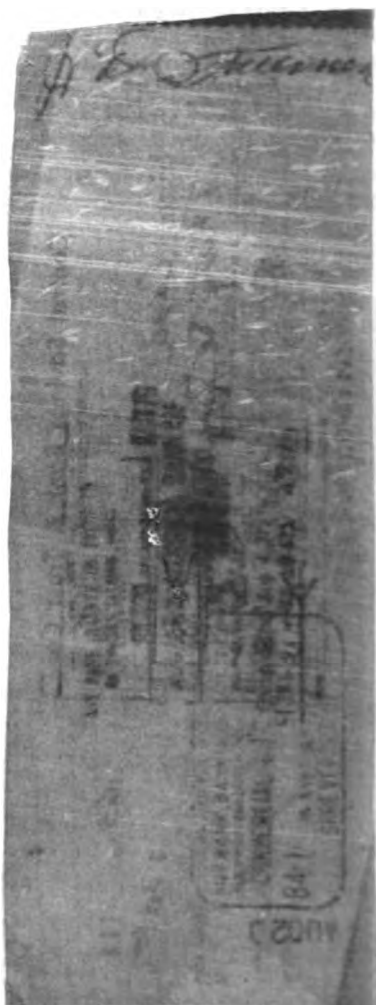
Mr. SWENSON. Sir, I refuse to answer on the grounds heretofore stated.

(Checks marked "John Swenson Exhibits Nos. 3 and 4," respectively. One check from each exhibit follows; balance retained in committee files.)

JOHN SWENSON EXHIBIT NO. 3



JOHN SWENSON EXHIBIT No. 4



The CHAIRMAN. The committee will stand in recess until 2 o'clock.
(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 12:15 p.m., Tuesday, January 4, 1966, the committee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—TUESDAY, JANUARY 4, 1966

(The subcommittee reconvened at 2 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

Mr. Appell, I suppose you want to recall Mr. Swenson.

Mr. APPELL. Will Mr. Swenson take the stand, please?

The CHAIRMAN. Mr. Swenson, you have already been sworn. Have a seat, please.

TESTIMONY OF JOHN DEASON SWENSON—Resumed

Mr. APPELL. Mr. Swenson, as the National Kleagle, or national organizer of the Original Knights of the Ku Klux Klan, I put it to you as a fact, and ask you to affirm or deny the fact, that you organized members into the Klan in the State of Mississippi.

Mr. SWENSON. Sir, I refuse to answer—respectfully refuse to answer on the grounds heretofore stated, based on the fourth and fifth amendment.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in Mississippi you created a realm of the Original Knights and that you recommended to Royal V. Young for appointment to the position of Grand Dragon for the State of Mississippi Douglas A. Byrd.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that prior to your removal from office in the Original Knights of the Ku Klux Klan in December of 1963 you banished from the Original Knights of the Ku Klux Klan Douglas A. Byrd and Edward L. McDaniel.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the Klansmen that you recruited in Mississippi broke with your organizations and that they became the cadre of an organization now operating in Mississippi known as the White Knights of the Ku Klux Klan of Mississippi.

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Do you know that E. L. McDaniel, whom you banished from your organization in December 1963, is now the Grand Dragon for Mississippi of the United Klans of America, Knights of the Ku Klux Klan, Inc.?

Mr. SWENSON. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Do you possess any knowledge of violence, bombings, or cross-burnings by members of the Original Knights of the Ku Klux Klan during the period of time that you were the Grand Dragon?

Mr. SWENSON. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In February of 1962 there was a bombing at the home of the Negro leader in Shreveport, Louisiana, C. O. Simpkins. Was that act carried out by members of the Klan, to your knowledge?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In April 1962 there was a bombing at the Negro Masonic Lodge in Shreveport, Louisiana. Do you possess any knowledge that this bombing was carried out by members of your Klan organization?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In May of 1962 there was a bombing at the Simpkins' home in Shreveport, Louisiana. I ask you if you possess any knowledge that members of your Klan organizations engaged in that act?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In September 1962 there was an additional bombing in Shreveport, Louisiana, the home of a white integrationist. Do you possess any knowledge that members of your Klan were involved in that action?

Mr. SWENSON. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. In May of 1963 there was violence on the campus of the Louisiana State University at Baton Rouge. Were members of your Klan involved in that violence?

Mr. SWENSON. Sir, I refuse to answer, respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Swenson, Mr. Young was asked in his testimony on July 28, 1965, page 294, questions concerning the takeover of the Original Knights, the leadership of Mr. Young and yourself. The questioning went like this—related to the robe concession. Mr. Young says that he was told not to dig into the fact that you had the robe concession, and the questioning went on by Mr. Hitz:

And was that the sole accusation of mishandling of funds that was again made against you, Mr. Young?

Mr. YOUNG. That was the question brought up to me. That I should do something about it.

Mr. HITZ. Well, was it not quite easy to represent to anyone who accused you of that, that it was the act of the Imperial Wizard and that your direction from the Imperial Wizard, who gave you your job as Imperial Dragon, was to keep out of it?

Mr. YOUNG. At that time, it made no difference. There was a power purge on; and if I had to have told them that anybody had told me to stay out of it, it would still have been the same thing over and over again. When men set their mind to take over something, the first thing they go through is your pocketbook.

The CHAIRMAN. Is what?

Mr. APPELL. Your pocketbook.

Is this the desire, to get the other individuals to get their hands on the profit that you and Mr. Young were making that caused the split in the Original Knights of the Ku Klux Klan in March of 1964?

Mr. SWENSON. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Mr. Swenson, we have quoted quite extensively from the testimony of Mr. Young under oath, and that testimony. I think it is fair to say, was not exactly complimentary to you. His testimony was under oath. It was part of our investigation.

Now, would you care to say what you think of Mr. Young?

Mr. SWENSON. Sir, I respectfully refuse to answer this question, sir, on the grounds heretofore stated.

The CHAIRMAN. I just wanted to give you that opportunity which would be a doublecheck on the credibility of his sworn testimony.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

I would like to ask as a part of the witness' testimony that the subpoena—that the records obtained of the account in the name of the Louisiana Rifle Association from the Louisiana Bank and Trust Company, Shreveport, Louisiana, and from the Bossier Bank and Trust Company, Bossier City, Louisiana, be made a part of the record of Mr. Swenson's testimony.

The CHAIRMAN. Those documents will be inserted in the record at the point where Mr. Swenson was questioned about them, so in reading the whole transcript the evidence introduced will be at that point.

(Bank records marked "John Swenson Exhibit No. 5" and retained in committee files.)

Mr. BUCHANAN. Mr. Swenson, you have made a good deal of the fact that you have burned the records because you didn't want them to fall into the hands of the enemy, which you said was communism, the Communists. Certainly this committee is concerned about Communist subversion, and continues to do a good deal of work in that field. However, I think it is only fair to point out that whatever your concern might have been, I personally very much doubt that the Communists would have any reason to do anything to the Ku Klux Klan or any of its various organizations, because I can't think of an outfit that has more consistently served the purposes of the Communists than the various Klan organizations, however unwittingly.

It seems to me one could well contend that the Klan organizations have consistently and well served the purposes of the Communists in feeding propaganda for their propaganda mill, and there would be little reason for them to try to do away with your organization, sir, because it serves them too well.

Secondly, I would like to point out that not being a Communist does not make a man or organization a saint, that evil has many faces and the evil of communism is just one of those faces.

I would like to point out for your edification that Judas Iscariot was not a Communist, nor was John Dillinger, nor was Jesse James, nor was Adolf Hitler, and the fact is under the guise of anticommunism, when an organization under this guise commits acts of violence or terrorism, it is without excuse for its extra-legal activities and being non-Communist or against communism is hardly justification for any act that is illegal or that is wrong.

Consequently, I would say in light of these things, of the service that the Klan organizations have rendered to world communism, in light of the nature of the organization of which it is said you are the father, I wonder if you aren't very much ashamed that it is the case that you are at least known to be the father of the Ku Klux Klan in Louisiana. Aren't you ashamed of that, sir?

I will withdraw the question. No further questions.

The CHAIRMAN. Call your next witness.

Mr. SWENSON. Thank you, gentlemen.

Mr. APPELL. Mr. Murry H. Martin.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARTIN. I do.

**TESTIMONY OF MURRY H. MARTIN, ACCOMPANIED BY COUNSEL,
JAMES R. VENABLE**

Mr. APPELL. Mr. Martin, will you state your full name for the record?

Mr. MARTIN. Murry H. Martin.

Mr. APPELL. When and where were you born?

Mr. MARTIN. June 1, 1924, in Tioga, Louisiana.

Mr. APPELL. Where do you presently reside?

Mr. MARTIN. In Winnsboro, Louisiana.

Mr. APPELL. Are you represented by counsel?

Mr. MARTIN. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. VENABLE. James R. Venable, Atlanta, Georgia.

Mr. APPELL. Mr. Martin, you are appearing here this morning in accordance with a subpoena served upon you on the 27th day of October at 2303 Rowland Street, Winnsboro, Louisiana, and subsequently the appearance was postponed by telegram?

Mr. MARTIN. Yes, sir.

Mr. APPELL. Mr. Martin, the subpoena served upon you demands for you to bring with you and produce before the said committee documents set forth in an attachment, paragraph 1 of which reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the National Knights of the Ku Klux Klan, Original Knights of the Ku Klux Klan, and affiliated organizations, namely, Christian Constitutional Crusaders, in your possession, custody or control, or maintained by you or available to you as Grand Dragon and/or member of the Original Knights of the Ku Klux Klan of America, and/or National Knights of the Ku Klux Klan.

I request you to produce the documents as called for in the subpoena.

Mr. MARTIN. Mr. Chairman, I respectfully decline to produce these books, documents, and records on the constitutional grounds of the fourth and fifth amendment, the Constitution guaranteeing the freedom of unreasonable search and seizure.

The CHAIRMAN. And self-incrimination?

Mr. MARTIN. And self-incrimination.

Mr. APPELL. I ask that the witness be asked to produce the records asked for in the subpoena.

The CHAIRMAN. Mr. Martin, were you in the hearing room when Mr. Swenson testified?

Mr. MARTIN. I was; yes, sir.

The CHAIRMAN. I ask that because I think, though I assume you are not a lawyer, you understood that, from our point of view, anyway, there is a distinction between ordering an individual to produce

personal records such as an income tax return, and a subpoena served upon him in a corporate or representative capacity which he holds, not for himself, but for an organization. You understood my explanation of that?

Mr. MARTIN. I did; yes.

The CHAIRMAN. Well, for that reason we do not accept as valid reasons for refusing to produce these documents your reliance on these constitutional amendments, and I therefore order and direct you to produce them.

Let me add this: I do so because the court decisions require me to do it. It is a cautionary note to a witness when the chairman of this committee, despite the invocation of constitutional grounds, nevertheless orders a witness to produce documents. It means we do not accept your position as a matter of law and it means that it could result, for further consideration, in a contempt citation.

I am saying that because I want you to understand it and because the court decisions require me to do that; therefore, for the reasons that I have stated, I order and direct you to produce the documents.

Mr. MARTIN. Mr. Chairman, I still must decline to answer.

In support of this, I would like to say that the Supreme Court in 1961 knocked down a Louisiana statute that required all fraternal or—

The CHAIRMAN. Say that again.

Mr. MARTIN. I am not a lawyer.

The CHAIRMAN. I just want to caution you that perhaps, since you are not a lawyer, I am not sure you are capable of carrying on this discussion. Talk to your lawyer and go on if you want to.

Mr. MARTIN. I must still decline to answer on the grounds that it may incriminate me under the first, fourth, and fifth amendment to the Constitution.

Mr. APPELL. Mr. Martin, paragraph 2 of the attachment commanded you to bring with you, and to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as member or officer of the Original Knights of the Ku Klux Klan and/or Christian Constitutional Crusaders which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce the documents requested in paragraph 2.

Mr. MARTIN. I respectfully decline to produce these documents in question on the constitutional grounds previously stated.

The CHAIRMAN. Mr. Martin, for the reasons previously pointed out and explained in detail, I order and direct you to produce the documents.

Mr. APPELL. You were directed, Mr. Martin.

Mr. MARTIN. I must decline.

The CHAIRMAN. On the ground previously stated?

Mr. MARTIN. Right, on the grounds previously stated.

Mr. POOL. Did you inform him he is subject to possible citation for contempt?

The CHAIRMAN. Yes. That is the reason for ordering him.

Mr. APPELL. Mr. Martin, paragraph 3 of the subpoena calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask you to produce those tax returns.

Mr. MARTIN. I must decline to produce these records on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, I hand you a blank form of application for citizenship in the Invisible Empire of the Original Ku Klux Klan. I ask if you have executed an application identical to or similar to that.

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 1" and retained in committee files.)

Mr. APPELL. I hand you a copy of a series of oaths and ask you if you subscribe to those series of oaths in any organization that you might have belonged to?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document previously marked "John Swenson Exhibit No. 1.")

Mr. APPELL. I hand you the reproduction of a document, the "Konstitution of the Original Ku Klux Klan, Realm of Louisiana." I ask you if this constitution was adopted by the Original Knights of the Ku Klux Klan organization which you at one time headed.

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 2." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 297-319.)

Mr. APPELL. Mr. Martin, were you acquainted with Mr. Royal V. Young, the Imperial Dragon of the Original Knights of the Ku Klux Klan?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did you hold an office under Mr. Young in that organization?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Young testified that after he was appointed to the position of Imperial Dragon that Murry H. Martin was appointed to the office of Grand Giant. Is that testimony truthful?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did you know that the cover name for the Original Knights during that period of time was the Louisiana Rifle Association?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. I prefer to put it this way: Is it not within your knowledge that that Klan organization, as part of its efforts to remain completely in the background and secret, used the cover name or front name of the Louisiana Rifle Association?

In other words, we have heard, we have read literature, literature of all other organizations of the type you headed, about their use of front organizations and all the rest of it.

I am trying to say Mr. Appell has represented to you as a cold fact that you were a party to using a front organization. Is that true or not?

Mr. MARTIN. I decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I hand you an envelope which contains five checks totaling \$531.26 made payable to "Murray" H. [Murry H. or M. H.] Martin, drawn against the account of the Louisiana Rifle Association, Louisiana Bank and Trust Company, Shreveport, Louisiana, and ask you whether you affirm or deny the fact that you are the payee designated on those checks.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 3." One of said checks follows; balance retained in committee files.)

MURRY MARTIN EXHIBIT NO. 3



Mr. APPELL. Mr. Martin, I put it to you as a fact, and ask you to affirm or deny it as a fact, that after Mr. Young and Mr. Swenson were removed from the Original Knights of the Ku Klux Klan that a deal was worked out among those responsible for removing them from office whereby you would take over the position of Grand Dragon of the organization. I ask you to affirm it or deny it.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you took office without being elected and that you were supposed to hold this office for some 6 months, at which time there was to be an election and someone else other than yourself was sup-

posed to succeed to the office of Grand Dragon. I ask you to affirm or deny it.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the person who under the agreement was supposed to take over was Houston P. Morris, who was the grand kleagle of your organization. I ask you to affirm or deny it.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that when you had made your position within the organization solid enough so that at the election you won and Mr. Morris did not win, that he broke with the organization and created a new Klan group in Louisiana known as the Original Ku Klux Klan of America, Inc.

Mr. MARTIN. I decline to answer on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that he took from your organization certain Klaverns within it.

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that he later took this group of people into the United Klans of America, Realm of Louisiana.

The CHAIRMAN. Of which Mr. Shelton is head?

Mr. APPELL. Of which Mr. Shelton is the Imperial Wizard.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that when you took over leadership of the Original Knights of the Ku Klux Klan that you adopted as a cover name for that organization the Christian Constitutional Crusaders.

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. And this is being stated to you as a fact again, that you use that fancy Christian name as a purely phony front organization, just as false as a 2-foot yardstick. Is that true?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I hand you a signature card filed in the account of the name of the Christian Constitutional Crusaders opened in the Ouachita National Bank in Monroe, Louisiana. In examining this card I ask you—put it to you as a fact, and ask you to affirm or deny the fact, that the card reflects that the president of the Christian Constitutional Crusaders is M. H. Martin; that the secretary is L. G. Wilder; and that the treasurer is Henry I. Bayles.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 4" follows:)

MURRY MARTIN EXHIBIT NO. 4

CORPORATION, FIRM OR SOCIETY ACCOUNT
 NAME Christian Constitutional Crusaders
 ADDRESS C/O H.I. Bayles 201 E. 1st Dr., E.M.
 THE OUACHITA NATIONAL BANK
 MONROE, LOUISIANA
 BY M. H. Martin ☒ PRESIDENT
 BY L. G. Wilder ☒ VICE-PRESIDENT
 BY Henry I. Bayles ☒ SECRETARY
 BY 2 Sgt. Bay ☒ TREASURER
 SEE OTHER SIDE

Mr. APPELL. Mr. Martin, during the appearance of Mr. Swenson we discussed with him the Monroe Hunting and Fishing Club, which made checks payable to the Louisiana Rifle Association.

According to the bank account of the Monroe Hunting and Fishing Club maintained at the Central Savings Bank & Trust Co. of Monroe, Louisiana, from January 21, 1964, to June 3, 1964, they issued five checks which were endorsed by the Christian Constitutional Crusaders. I put it to you as a fact, and ask you to affirm or deny the fact, that these checks covered dues, the realm's share of the new members' klectokon or membership fees. I ask you to affirm or deny the fact, sir.

Mr. MARTIN. Repeat the question, please. I don't quite understand all you said there.

Mr. APPELL. The bank records of the Monroe Hunting and Fishing Club reflect that from January 21, 1964, to June 3, 1964, there were five checks payable to cash and endorsed by the Christian Constitutional Crusaders. I ask you if it is a fact, and ask you to affirm or deny the fact, that these checks represented dues and klectokon or membership fees owed to the grand office on the part of this Klavern.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 5" not reproducible; retained in committee files.)

Mr. APPELL. In May of 1963 this account in the Central Savings Bank & Trust Co. was opened. According to the signature card of this account, Houston P. Morris was the president, or exalted cyclops. Did you know this to be a fact, sir?

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Bruce Bairnsfather was the secretary, or kligrapp. Did you know this to be a fact?

Mr. MARTIN. I respectfully decline to answer this question on the constitutional grounds previously stated.

Mr. APPELL. J. R. Douglas was the klabee, or treasurer. Did you know this to be a fact?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 6." See p. 2369.)

Mr. APPELL. This signature card was changed on August 21, 1963, with Robert Fuller as the exalted cyclops. Did you know that Robert Fuller was the exalted cyclops?

Mr. MARTIN. I respectfully decline to answer the questions on the constitutional grounds previously stated.

Mr. APPELL. Did you know that Russell A. Price was the secretary?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you know that the Reverend Louis Warren was the treasurer?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 7." See p. 2370.)

Mr. APPELL. On January 21, 1964, the signature card was again changed to this account with the exalted cyclops being James C. Oliver, who was employed by Louisiana State Highway Department. Did you know him to be the exalted cyclops?

Mr. MARTIN. I respectfully decline to answer on the constitutional grounds previously stated.

Mr. APPELL. That F. T. Odom according to the bank records was the vice president. Did you know him to be the vice president?

Mr. MARTIN. I respectfully decline to answer.

Mr. APPELL. That Russell A. Price was the secretary. Did you know him to be the secretary?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 8." See p. 2371. Exhibits Nos. 6, 7, and 8 follow:)

MURRY MARTIN EXHIBIT NO. 8

CENTRAL SAVINGS BANK & TRUST CO.
MONROE, LOUISIANA

Authority of Lodge, Association or Other Similar Organization

To CENTRAL SAVINGS BANK & TRUST CO.

Date January 21, 1964

At a regular meeting of the Membership
of the Monroe Hunting & Fishing Club
held on the _____ day of _____, 19____, at which a quorum
was present, the following officers were duly elected for the ensuing year and until their successors shall be
elected and shall have qualified:

Name	Title	Specimen Signature
<u>James C. Oliver</u>	<u>President</u>	<u>James C. Oliver</u>
<u>F. T. Odom</u>	<u>Vice President</u>	<u>F. T. Odom</u>
<u>Russell A. Price</u>	<u>Secretary</u>	<u>Russell A. Price</u>

Under the rules of the By-laws

Any funds deposited to its credit with the Central Savings Bank & Trust Co. may be withdrawn by the _____
President and Vice President and Secretary (Any Two (2))

(Use blank spaces for titles of signing officers and state whether checks will bear one signature or will be signed and countersigned)
who are authorized to endorse and sign Checks, Drafts and Orders for the payment of money.

The authority herein given is to remain irrevocable so far as the above bank is concerned until it be notified
in writing of the revocation of such authority and shall in writing acknowledge receipt thereof

Russell A. Price
SECRETARY

James C. Oliver
PRESIDENT

TRUE COPY
Central Savings Bank & Trust Co.
MONROE, LOUISIANA

Approved:

Mr. APPELL. Mr. Martin, as the Grand Dragon of this organization, can you tell me why Klaverns in Louisiana select as cover names for the Klavern rather than the unit designation given to it by the Klan organization the names of hunting and fishing clubs or sportsmen's clubs?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, according to the deposit slips contained in the bank records of the account to which we have just referred, and also in the Winnsboro State Bank and Trust Company in Winnsboro, Louisiana, in the name of the Christian Constitutional Crusaders, I put it to you as a fact, and ask you to affirm or deny the fact, that the following Klaverns were within your jurisdiction: The Ouachita Parish Hunting and Fishing Club; the Sterlington Hunting and Fishing Club; the Concordia Sportsman Club; the Clinton Hunting and Fishing Club; the Deere Creek Sportsman's Club; Jena Hunting and Fishing Club; Northeast Gun Club; Tensas Sportsman Club; Black River Lake Sporting Club; Arcadia Sportsman Club; West Carroll Rifleman Club; Watson Hunting Club; Delta Sportsman Club; Baker Hunting and Fishing Club; Delhi Sportsman Club; Okaloosa Hunting and Fishing Club; Many Hunting and Fishing Club; Catahoola Sportsman Club; Deville Hunting and Fishing Club; Folsom Sportsman's Club; Turkey Creek Rod and Gun Club; Hinston Hunting and Fishing Club; Madison Parish Rifle Club; Boeuf River Hunting Club; Varnado Sportsmans Club; Vidalia Sportsman's Club; New River Rifle Club; Homer Hunting and Fishing Club; Roseland Hunting Club; Pride Sportsman League, in East Baton Rouge; Swartz Hunting and Fishing Club; The Choudrant Rod and Gun Club; Valley Hunting Club; Covington Hunting and Fishing Club; Pine Grove Hunting and Fishing Club; Big River Sportsman's Club.

I put it to you as a fact, and ask you to deny or affirm the fact, that these were organizations within your organization.

Mr. MARTIN. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, during the time that you were Grand Dragon of the Original Knights in 1964, did Russell Magee hold a position within your organization as related to the Sixth Congressional District of Louisiana?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I show you two checks, one dated 6/29 and the other 7/13 [1964] drawn against the account of the Christian Constitutional Crusaders, check of 6/29 in the amount of \$377.01 and the check of 7/13 in the amount of \$400—check in the amount of \$400 the purpose for which drawn being the "Sixth District Fund." Will you examine these checks and advise the committee for what purpose those checks were drawn?

These are both made payable to Russell Magee.

Mr. MARTIN. Sir, I must respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 9" follow on p. 2373.)
(At this point Mr. Pool left the hearing room.)

Mr. APPELL. Mr. Martin, I hand you an envelope with checks dated, the first one, February 13, 1964, and the last one September 12, 1964. — but one payable to Murry H. Martin, the total of these checks amounting to \$3,558.09, and I want to ask you after you examine these

MURRY MARTIN EXHIBIT No. 9

THE OUACHITA NATIONAL BANK
IN MEMPHIS

No. 71

6-25 1964

DAY TO THE ORDER OF Russell Magee

377.01

Three hundred seventy-seven & 1/100 DOLLARS

This Check is the full settlement of account in cash, services, or otherwise by cash or cash equivalents except in full.

Christian Const. Crusaders

L. B. Hulse

4111-00310

THE OUACHITA NATIONAL BANK
IN MEMPHIS

No. 83

7-13 1964

DAY TO THE ORDER OF Russell Magee

400.00

Four hundred & NO/100 DOLLARS

This Check is the full settlement of account in cash, services, or otherwise by cash or cash equivalents except in full.

Sixth District Fund

Christian Const. Crusaders

L. B. Hulse

4111-00310

checks with regard to the purpose for which these checks were made payable to you.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 10.")

Mr. APPELL. Did you report that income on your Federal income tax returns?

Mr. MARTIN. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I show you an envelope containing checks payable to Houston P. Morris totaling \$628.46. After examining them I ask you the purpose for which those checks were drawn.

Mr. MARTIN. Sir, I must respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 11.")

Mr. APPELL. I show you an envelope containing checks, payable to Robert Fuller. These checks starting with \$100.00, total \$5,955.47. I ask you what purpose these checks were drawn for.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I show you an envelope containing checks all payable to Robert Fuller. These checks starting with \$100.00, total \$5,955.47. I ask you what purpose these checks were drawn for.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 12.")

Mr. APPELL. I show you an envelope containing checks all payable to Robert Fuller. These checks starting with \$100.00, total \$5,955.47. I ask you what purpose these checks were drawn for.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I show you an envelope containing checks all payable to Robert Fuller. These checks starting with \$100.00, total \$5,955.47. I ask you what purpose these checks were drawn for.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I show you an envelope containing checks all payable to Robert Fuller. These checks starting with \$100.00, total \$5,955.47. I ask you what purpose these checks were drawn for.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

(Checks marked "Murry Martin Exhibit No. 13." One check from each of said exhibits Nos. 10-13 follows; balance retained in committee files.)

MURRY MARTIN EXHIBIT No. 10

THE OUACHITA NATIONAL BANK
IN MONROE

No. 07

2-11 19 34

PAY TO THE ORDER OF **MURRY E. MARTIN** \$ 100.00

One Hundred and Twenty-Nine & 00/100

This Check is in full settlement of account with the undersigned. Receipt by endorsement constitutes receipt in full.

Christian Constitutional Crusaders

41111-00314

Thos. L. Willis

MURRY MARTIN EXHIBIT No. 11

THE OUACHITA NATIONAL BANK
IN MONROE

No. 57

5-27 19 34

PAY TO THE ORDER OF **Houston P. Morris** \$ 133.89

One Hundred Thirty Three & 89/100

This Check is in full settlement of account with the undersigned. Receipt by endorsement constitutes receipt in full.

Christian Const. Crusaders

41111-00314

Thos. L. Willis

MURRY MARTIN EXHIBIT No. 12

THE OUACHITA NATIONAL BANK
IN MONROE

No. 62

6-29 19 34

PAY TO THE ORDER OF **Robert Fuller** \$ 336.50

Three hundred thirty-six & 50/100

This Check is in full settlement of account with the undersigned. Receipt by endorsement constitutes receipt in full.

Christian Const. Crusaders

41111-00314

Thos. L. Willis

Mr. APPELL. Mr. Martin, these names that I have read to you, I put it to you as a fact that they were the leaders, you and the others were the leaders, of the Original Knights following the leadership of Mr. Young and Mr. Swenson. I ask you to affirm or deny that.

(At this point Mr. Willis returned to the hearing room.)

Mr. MARTIN. I must respectfully decline to answer the question on the grounds previously stated.

Mr. APPELL. Irrespective of what the constitutional laws of the organization set forth as their purpose, as far as you individuals were

MURRY MARTIN EXHIBIT No. 13

THE OUACHITA NATIONAL BANK
IN MONROE

NO. 59
MONROE, LA. 5-27 1864

PAY TO THE ORDER OF L. G. Wilder

293.53

Two Hundred Ninty Three & 53/100 DOLLARS

This Check is in full settlement of amount on account. Receipt by endorsement constitutes receipt in full.

Christian Const. Crusaders

L. G. Wilder

4444-00344

concerned, did it have any purpose other than to bring money into yourself?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. I would like to direct a question or two to Mr. Appell, the investigator.

Mr. Appell, you are reminded that you are still under oath.

As chief investigator, and after having made an examination and analysis of the several packets of checks which you just referred to, I wonder if you would give to the committee your conclusions as to the nature, character, and object of those checks insofar as those conclusions were derived from your examination.

Mr. APPELL. Mr. Weltner, an examination of this account shows that in addition to the checks that we have exhibited to the witness that very few people benefited from the funds that were submitted to the grand or state treasury, and it appears that with respect to some of them that this was their percentage for going out and deceiving people into believing that the Original Knights of the Ku Klux Klan had a purpose other than getting members.

Mr. WELTNER. Are these for robe sales, klectokons, and the like?

Mr. APPELL. No, sir. The items that you describe are the deposits to the account. This is the way the klectokons and initiation fees and dues and other assessments were disbursed by the State organization after they received them from the Klavern. They disbursed them to themselves.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Martin, under the constitution of the Original Knights of the Ku Klux Klan the organizational structure calls for, on the realm level, a Grand Dragon. Under him there is a Grand Titan, who is the assistant to the Grand Dragon. I ask you who held that office.

Mr. MARTIN. I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Referring to this document, Mr. Martin, I see that there is a provision for several committees: education committee,

membership committee, benevolence committee, building committee, public relations committee, and klokan committee. Would you give the committee the identities of the chairmen of these respective committees?

Mr. MARTIN. I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. The constitution sets forth many ways in which the Klan dedicates itself, but then it sets forth under a title "The Way Of The Klavern":

The following should be given to each new member immediately after the naturalization ceremony.

The newly made member be conducted to the Klocards' station by the Kladd. The Klocard will then instruct the new members as follows:

1. Destroy application

* * * * *

What is the purpose of that, Mr. Martin?

Mr. MARTIN. I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Is it not a fact that after the application is destroyed that that man is known only by a number which is known only to the secretary of the Klavern?

Mr. MARTIN. I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. On the grand or state level, did you as the Grand Dragon ever receive the identity of a member of the Ku Klux Klan no matter into which Klavern he was naturalized other than the Klavern with which you might be affiliated yourself?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Can you advise the committee with regard to the responsibilities and purposes of the klokan committee?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Was it your responsibility to concern yourself with the appointment by the klokan office, the person who held the office of klokan in the Klavern, as to an organization which he creates under the constitution and bylaws known as the wrecking crew?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. What was the purpose of the "wrecking crew"?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. This morning, Mr. Martin, I quoted from Mr. Simmons' testimony about "keep the secrets, enjoy life, and violate them and beware of death." The Original Ku Klux Klan Konstitution reads as follows:

Any Klansman who is known to violate our rules, especially those that give information to any allens, shall be expelled immediately, then is to be watched and visited by the Wrecking Crew if necessary.

Can you help the Congress to understand this function that is explained in this document?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Is this not for the purpose of intimidating members of the Klan if they ever get out and speak against it, that physical harm will come to them?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. This document also says with respect to the wrecking crew that:

Each unit will set up at least one team of six men to be used for wrecking crew. These men should be appointed by the Klokkan in secrecy.

Can you advise the committee why it is necessary for a Klavern to appoint this wrecking crew and the identity of the wrecking crew to be secret from all members of the Klavern except for the members who serve in the klokan who appoint them?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Is this not for the purpose of eliminating exposure in case the Klan carries out—the wrecking crew carries out acts of violence, that people will not know even within the Klan those responsible for the acts?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. If the Klan organization which you head is as it represents itself to be, can you explain to the committee this language contained in the constitution:

All Klaverns will have at least five armed guards with flashlights posted during regular meetings.

(a) No one will be allowed to carry a gun inside the Klavern during regular meetings except the Night Hawk.

(b) No one will carry a gun inside during a state or province meeting except those appointed by the Chief KBI or Province KBI.

Can you explain this to the committee in light of what the Klan allegedly stands for?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan, Mr. Martin, will you tell this committee of the Congress what your organization does stand for?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional ground previously stated.

The **CHAIRMAN.** Mr. Martin, I regret you take that position. It would be helpful to this committee and the Congress to know, and I should say that dedicated members who believe and talk inside about the nobility of Klan organizations as represented by you and other leaders in literature, would feel better if someone of your stature representing the Klan would simply come up before this committee and just tell us what their objectives are. What does it stand for? What are the programs of the Klan, and so on?

We wish someone would come, talk, and tell us. Not that we would accept all they might say, but the truth will remain indestructible wherever it is. Here is your opportunity to stand up and tell us what you stand for really, in addition to what is distributed to the rank-and-file members with regard to anticommunism, national defense, and all the rest. Here is your chance.

I really would like for you to tell us what I know you must have said time and time again on the streets in your hometown, at Klavern meetings. You appear to be very intelligent. I suppose you make a pretty good speech. I know you have spoken about those things before and I know you represent yourself as believing what the Klan stands for.

Our job is to give information to Congress, all the information, whatever good there is in the Klan organization, and so on. Put it in the record. Here is your splendid chance. I want you to talk and tell us all about it. Would you care to avail yourself of the opportunity?

I say, do you care to avail yourself of the opportunity?

Mr. MARTIN. No.

The CHAIRMAN. You do not?

Mr. MARTIN. No.

The CHAIRMAN. You nodded your head in the negative. Your answer is "No"?

Mr. MARTIN. My answer is I most respectfully decline to answer the question on the constitutional ground previously stated.

Mr. APPELL. Mr. Martin, is it a fact that Mr. Swenson was removed from the offices he held in the Original Knights because of profit that he was making on the sale of Klan robes?

Mr. MARTIN. Sir, I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I ask you that, Mr. Martin, because in the constitution in effect under your regime there is contained this language:

Uniforms (robes) will all be made by the same standards by Klansmen in Realm. We shall have at least two manufacturers. One for South La. and one for North La. Since there is considerable profit envolved [sic] in this project, the following has been suggested: Determine amount of profit and pay makers accordingly out of realm treasury. Orders to be placed with secretary who will collect \$10.00 for each. Profit will thereby go to Realm to be used for Klan expenses.

Who was appointed as the robe manufacturer for north Louisiana?

Mr. MARTIN. Sir, I must respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Who was appointed as the manufacturer for south Louisiana?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, does your organization, the Original Knights, have any relationship or affiliation with any other Klan group?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Are you affiliated with the National Knights of the Ku Klux Klan?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Do you hold the office of klokan in the [National] Knights?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Within that organization does the klokan have the responsibility for performing wrecking crews?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. On May 22 and 23, 1965, did you attend a meeting of the National Knights held at the Dobie Motel in Montgomery, Alabama?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. During the course of that meeting did friction develop between the leader of the organization, James Venable, and Hugh Morris, both of Georgia?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Was there discussion as to what you might do, that is the Klan groups affiliated in the National Knights, with people who could not be controlled and whom the groups wished to be quieted?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Was there discussed the subject of castration?

Mr. MARTIN. I must respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Was it reported by any of the leaders there that they would not engage in castration, but that if it was necessary to liquidate someone to prove that the Klan was not kidding, that this would be done?

Mr. MARTIN. Sir, I must respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. The committee will stand in recess for 5 minutes.

(Whereupon, at 3:25 p.m., the subcommittee recessed and reconvened at 3:38 p.m., with Representatives Willis, Weltner, and Buchanan, of the subcommittee, present at time of recess and when hearings resumed.)

The CHAIRMAN. The subcommittee will resume the hearings. Please resume the stand, Mr. Martin.

A quorum of the subcommittee met during the recess and voted unanimously to make public certain excerpts of executive testimony received from James R. Venable on October 6, 1965. The released excerpts appear from line 25 on page 1125 through line 11 on page 1126, also from line 21 on page 1149 to line 5 on page 1150 of the transcript of that day of the executive hearing.

Mr. Weltner desires to propound a couple of questions to the witness in this connection.

Mr. WELTNER. Mr. Martin, I would like to read the first portion of this testimony. Prior to doing that I would like to say to the witness and to the committee that the witness James R. Venable appeared in Washington on October 6 voluntarily, without having been placed under subpoena, and he continued through that entire day and answered all the questions that were propounded to him without resorting to any kind of constitutional claim of privilege. I want to make that clear.

The portion that I would like to read to you appears on page 1125. It is a question by Mr. Manuel and answered by Mr. Venable:

Mr. MANUEL. Do you have any chartered Klaverns in the State of Louisiana?

Mr. VENABLE. No, the National Knights of the Ku Klux Klan has not got any, to my knowledge. I know the other two Klan groups down there. I don't know under what names they operate. I know the two gentlemen who are alleged to head them; I don't know the names.

The CHAIRMAN. Can we have their names? Do their names come to you?

Mr. VENABLE. One of them is named Mr. P. L. Morgan from Coushatta and the other gentleman's name is M. H. Martin of Winnsboro.

My question is, Are you the M. H. Martin of Winnsboro referred to in the testimony on the part of the Imperial Wizard of the Ku Klux Klan, James R. Venable?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. I ask you whether or not that statement given under oath by Mr. Venable is true?

Mr. MARTIN. I again respectfully decline to answer the question on constitutional grounds previously stated.

Mr. WELTNER. The other portion of this testimony concerned a matter previously touched upon by Mr. Appell and the inquiry concerning "wrecking crews." This colloquy which I will read to you has to do with the Klan as it was reconstituted in 1915 and existed generally through a 30-year period thereafter, referred to as the Old Klan.

Mr. APPELL. Recalling back in your young days and your knowledge that there did exist such things as wrecking crews, it would be only the members of the crew that would know the identity of the crew members; is that right?

Mr. VENABLE. That is right.

Mr. APPELL. So, therefore, the average Klansman, while he might understand there is a crew, he would know nothing about it?

Mr. VENABLE. He would not know who they were or what they do; they would keep it secret among themselves.

That appears on page 1149 of the transcript of October 6, 1965.

My question is, in the light of that testimony, whether or not the Original Knights of the Ku Klux Klan, or any successor thereto, in which you may have had an office or title employed a wrecking crew or any other similar committee or any other function with a similar purpose.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. Mr. Chairman, the portions which I have read I think constitute the entire portions of the record which have been released to the public, and I have no further questions.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Martin, did the Louisiana Joint Legislative Committee on Un-American Activities conduct an investigation into the Ku Klux Klan in Louisiana? Did it, sir?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I show you a reproduction of certain pages from a report issued by that committee. This is a "Q and A" taken by the staff director of that committee of one Mr. "Murray" Martin. I show you this and put it to you as a fact, and ask you to affirm or deny the fact, that you are the "Murray" H. Martin whose testimony is recorded in that document.

Mr. MARTIN. Sir, I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Murry Martin Exhibit No. 14." See pp. 2383-2393.)

Mr. APPELL. Mr. Martin, was the testimony which you gave to the staff director of the joint committee truthful in all respects?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. A review of this testimony shows that in questioning as to what the Original Knights stands for, you picked out from the oaths taken by Klansmen those which relate to the Constitution of the United States, upholding it. I would like to ask you why you

did not put into this record those oaths under [Klan]*ishness, especially the oath which says:

I swear that I will never allow any animosity, friction nor ill will to arise and remain between myself and a [Klans]*man but will be constant in my efforts to promote real [Klan]*ishness among the members of this Order. I swear that I will keep secure to myself a secret of a [Klans]*man when same has been committed to me in the sacred bond of [Klans]*manship. The crime of violating this solemn oath—, treason against the United States of America, rape, and malicious murder alone excepted.

Why did you not put this into this transcript and give a true picture of your Original Knights?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Why did you not bring to the attention of the committee the existence of wrecking crews and the functions of wrecking crews in giving a picture of the Original Knights in Louisiana? I ask you why?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In light of the oath which I read to you, Mr. Martin, I would like you to explain to the committee an answer to a question asked of you, and I shall read to you both the question and your answer:

Q.—Mr. Martin, what protection have you got built into your organizational structure or procedures to protect your Organization from people who would use the cover of the existence of the Klan to commit crime?

A.—Our Organization actually is based upon, and its primary function is by, Committees; such Committees as an Investigating Committee, and should this violence, or lawbreaking, or crime come to our attention, of course, this Committee would investigate, and should we be successful, we would turn the person over to the Law, or at least tell the Law who he was so that we wouldn't get the blame for it. We have gotten the blame for a lot of it in the past and we hope we can help to stop it. Our prime purpose, of course, is not to avoid the blame, but to assist the law enforcement officers in their duties. As I have already stated, that's in our Oath that we should do so, and we do.

In light of the fact that a Klansman takes an oath not to divulge a secret of a Klansman except in the case of treason against the United States, rape, and malicious murder, how could your organization turn any information over to law enforcement agencies when committed by members of your Klan?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In your association with the Klan, have you ever turned over to law enforcement agencies any knowledge relating to violence on the part of a Klansman?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. You told the Louisiana committee that you distribute literature, not only that published by yourself, but that published by other people. As an exhibit there is reproduced a document, "The Meaning Of Americanism." I would like to ask you to tell me, in light of the constitution and laws, the existence of the wrecking crews, and the violence on the part of members of your organization, how you can distribute this as a policy and principle of the Klan:

Americanism holds that every person has an inherent right to think, to act, to express opinions, to seek redress against wrongs, and enlarge his personality

without fear. It gives each American, whether rich or poor, white or black, Jew or Gentile, the right to challenge wrong and oppression without the threat of retaliation. It means that every American be given the right to invest in the soil of his country and to reap the benefits from his labors and his thrift. Americanism holds that these rights be protected for all, not merely for the privileged.

Isn't this a direct contradiction of what the Original Knights of the Ku Klux Klan stands for?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Martin, in presenting yourself for interrogation by the staff director of the Louisiana joint committee, were you under subpoena?

The CHAIRMAN. I think the question should be extended by saying. Were you under subpoena or did you voluntarily appear?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. I think the transcript indicates, does it not, Mr. Appell, that he appeared voluntarily?

Mr. APPELL. The transcript is silent, Mr. Chairman. It just shows he was sworn and gave the following testimony, and does not say whether the staff consultation resulted from appearance pursuant to a subpoena.

Mr. Martin, I ask if you can explain to this committee why you voluntarily testified or why you did answer questions there and not invoke constitutional privileges, and you invoke constitutional privileges before this body?

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. We have established clearly that this transcript was of a consultation held on April 17, 1965, bearing in mind that that was some 6 weeks after this committee of the Congress resolved unanimously to conduct the pending investigation of the Ku Klux Klan organization. The transcript, of course, speaks for itself, but it says the witness, "Mr. Murray Martin," having been duly sworn to tell the truth, the whole truth, and nothing but the truth, testified as follows, and the transcript is some 28 pages of testimony, including exhibits, constituting an answer to each question propounded to the witness. April 17, 1965, was the date of the appearance.

Let me ask one more question.

Mr. Martin, one question—on page 25 of this transcript the question:

Does your Organization in any way propose to achieve its goals by violence, or any means other than the political action that you are describing?

The answer to the question notes:

No, sir, we do not advocate violence.

I would like to propound that question to you again, sir. Does your organization in any way propose to achieve its goals by violence or any means other than political action which you have described? That is my question.

Mr. MARTIN. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. No further questions.

The CHAIRMAN. The witness is excused.

(Murry Martin Exhibit No. 14 introduced on p. 2380 follows:)

MURRY MARTIN EXHIBIT NO. 14

[Excerpt from June 16, 1965, hearings before The Joint Legislative Committee on Un-American Activities of Louisiana held in Baton Rouge, La. Hon. Jesse M. Knowles, chairman; Jack N. Rogers, Committee counsel. Report No. 7, July 26, 1965.]

TRANSCRIPT OF STAFF CONSULTATION HELD ON APRIL 17, 1965, AT 7:22 P. M.; at COLUMBIA, LOUISIANA. JACK N. ROGERS, ESQ., COMMITTEE COUNSEL FOR THE JOINT LEGISLATIVE COMMITTEE ON UNAMERICAN ACTIVITIES, PRESIDING.

BY MR. ROGERS:

Under the power vested in me by Senate Resolution #12, Regular Session, 1964, and the Rules of the Committee, I now swear the first witness in this Staff Consultation.

THE WITNESS, MR. MURRAY MARTIN, AFTER FIRST HAVING BEEN DULY SWORN TO TELL THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP HIM GOD, TESTIFIED AS FOLLOWS:

DIRECT EXAMINATION

BY MR. ROGERS:

Q—Please give me your name, sir?

A—Murray Martin.

Q—Where do you live, Mr. Martin?

A—In Winnsboro, Louisiana.

Q—Where and when were you born?

A—At Tioga, Louisiana, 1924, June 1.

Q—What do you do for a living?

A—I am a building contractor.

Q—What is the correct name of the Klan Organization you represent?

A—The Original Knights of the Ku Klux Klan.

Q—What is the title of your Klan office, and what level of leadership does that title mean?

A—I am Grand Dragon, and the level of leadership would be

MURRY MARTIN EXHIBIT NO. 14—Continued

the same as the Chairman of the Board of Directors.

Q—What geographical area does that cover?

A—The State of Louisiana.

Q—Is your Klan Organization connected with any other Klan Organization?

A—We are loosely connected with another Klan Organization, yes, sir.

Q—If so, which one is that?

A—We are connected with the National Association of Klans known as the Associated Klans of America.

Q—Mr. Martin, who is the national head of your Klan Organization?

A—We have no national head.

Q—As I understand your testimony, you are the head in the State of Louisiana, is that correct?

A—That's true.

Q—How and by whom are the objectives of your organization determined?

A—They are determined by a Board of Officers.

Q—Is it a large Board?

A—Relatively small.

Q—Are the people who determine your policy on this Board all citizens of the State of Louisiana?

A—That is right, that is true.

Q—Is your organization connected in any way with the Communist Party?

A—Definitely not.

Q—How about any other foreign party, or agency, or government?

MURRY MARTIN EXHIBIT NO. 14—Continued

A—No, sir.

Q—Would you care to elaborate on that, sir?

A—One of our questions asked of all candidates is this: "Do you esteem the United States of America and its institutions above any government, civil, political, or ecclesiastical in the whole world?" and another one is: "Are you absolutely opposed to and free of any allegiance of any nature to any cause, government, people, sect, or order that is foreign to the United States of America?" Both of these questions must be answered "yes" before the candidate can proceed.

Q—Are these questions asked your prospective members under oath?

A—They are.

Q—Is any Pledge or Oath of Allegiance required of all of your members?

A—Yes.

Q—Does this in any way infringe upon, or negate, complete loyalty to the Constitution of the United States?

A—No, sir, in fact they must swear allegiance to the United States to become a member.

Q—Would you mind telling us what words are required to do this? Can you do this?

A—I can and I will. This is part of the Oath: "I most solemnly swear and affirm, that to the Government of the United States of America, and any State thereof of which I may become a member, I most sacredly vow unqualified allegiance above any other, and every government in the whole world. I here and now pledge my life, my property, my vote, and my sacred honor to uphold its flag, its Constitution, and Constitutional Laws and will protect, defend, and enforce same unto death."

Q—Mr. Martin, what is the policy of your Organization as to violations?

A—I will again quote from our Oath: "I swear that I will obey the laws, and at any and all times, and in all places, help, aid, and assist the duly constituted officers of the Law in the proper performance of their duties."

MURRY MARTIN EXHIBIT NO. 14—Continued

ance of their legal duties."

Q—Would you explain what policy your Organization has toward a member who might be involved in a crime, caught, and convicted?

A—If and when he is convicted, then he is either expelled or banished from the Organization. Does that explain it pretty well?

A—Yes, sir.

Q—What are the qualifications for membership in your Organization?

A—Of course, a man must be of good character, first.

Q—How do you determine that, Mr. Martin?

A—We have a system of elections whereby a man may enter into our Organization, and he is first invited to join after having been cleared by all of the members, and his name is published in two regular meetings, and any one man in the Organization can, if he so desires, stop the admittance of any man.

Q—By "Organization" you mean on the local level?

A—On the local level.

Q—Do you have any special name for the local level group?

A—Klavern. This also is in our Oath and I would like to give that to you.

Q—Would you, please?

A—The candidate or the man being initiated has to swear that: "I will never recommend any person for membership in this Order whose mind is unsound, or whose reputation I know to be bad, or whose character is doubtful, or whose loyalty to our Country is in any way questionable."

Q—What other qualifications do you have for membership, Mr. Martin?

A—A man must first believe in the tenets of the Christian Religion. Would you like for me to give you all of the qualifying questions?

MURRY MARTIN EXHIBIT NO. 14—Continued

Q—Would you, please?

A—All of these questions must be answered "yes" by any person seeking admittance into our Organization: First, "Is the motive prompting your ambition to be a Klansman serious and unselfish?" Second, "Are you a native-born white gentile American citizen?" Third, "Are you absolutely opposed to, and free of any allegiance of any nature to any cause, government, people, sect, or ruler that is foreign to the United States of America?" Fourth, "Do you believe in the tenets of the Christian Religion?" Fifth, "do you esteem the United States of America and its institutions above any other Government, Civil, Political, or Ecclesiastical in the whole world?" Sixth, "Will you, without mental reservation, take a solemn oath to defend, preserve, and enforce same?" Seventh, "Do you believe in Klanishness and will you practice same towards Klansmen?" Eighth, "Do you believe in, and will you faithfully strive for the eternal maintenance of white supremacy?" Ninth, "Will you faithfully obey our Constitution and Laws and conform with them to all of our usages, requirements, and regulations?" Tenth, "Can you always be depended upon?"

Q—Mr. Martin, are there any other qualifications for membership other than the ones you have read to me?

A—I believe not. I would like to say that we are trying our best to eliminate any undesirables from our Organization. I would also like to state that we have no sex-perverts, or homosexuals, or beatniks in our Organization, and I defy anyone to find them.

Q—Approximately how many members do you have in the State of Louisiana?

A—This, I must respectfully decline to answer, since to answer it would put me in violation of the Oath that I have taken to the Klan.

Q—What are the objectives of your Organization?

A—Our objectives are to return our Government to the Constitution. We believe in constitutional government. We have a set of goals, a written one that I would be glad to send you. I am sorry I do not have one with me. It lists our goals and our hopes for the future. Of course, our prime purpose is the preservation of individual and national liberty.

Q—Do you ascribe, as an organization, to this written state-

MURRY MARTIN EXHIBIT No. 14—Continued

ment of principles that you are going to send me—this written statement of objectives?

A—Yes, I do.

Q—By what means does your Organization propose to realize these objectives?

A—Through governmental affairs, the education of ourselves and the general public as to the trend of Government towards the left and continuing headlong flight towards Communism.

Q—I understand from this that you mean primarily by education, is this correct?

A—Well, no, of course, after you educate yourself, then we will vote at the polls to remove such scalawags that propose and keep proposing legislation to sell us to the "one world government."

Q—Does your Organization in any way propose to achieve its goals by violence, or any means other than the political action that you are describing?

A—No, sir, we do not advocate violence.

Q—Mr. Martin, what protection have you got built into your organizational structure or procedures to protect your Organization from people who would use the cover of the existence of the Klan to commit crime?

A—Our Organization actually is based upon, and its primary function is by, Committees; such Committees as an Investigating Committee, and should this violence, or lawbreaking, or crime come to our attention, of course, this Committee would investigate, and should we be successful, we would turn the person over to the Law, or at least tell the Law who he was so that we wouldn't get the blame for it. We have gotten the blame for a lot of it in the past and we hope we can help to stop it. Our prime purpose, of course, is not to avoid the blame, but to assist the law enforcement officers in their duties. As I have already stated, that's in our Oath that we should do so, and we do.

Q—Will you furnish our Committee with samples of the literature and printed materials used by your Organization? You understand, we don't expect you to give us something that you have sworn to keep secret, but we would like samples to the limit of what you

MURRY MARTIN EXHIBIT No. 14—Continued

FIFTY REASONS WHY YOU SHOULD BE A MEMBER OF THE ORIGINAL KU KLUX KLAN

- :cause the Klan is a great, legal American institution of Americans
- :cause it is the only organization on earth where only native-born, White, Gentile American citizens make up its membership.
- :cause it is a militant Christian organization, opposed to all forms of Atheism.
- :cause it throws its strong arm of protection around your family in your absence.
- :cause it believes in and fights for White Supremacy.
- :cause it saved the South twice, and will save it again and again.
- :cause it is composed of HE men and not silly dilly humans.
- :cause it is founded deep in the truths of the Christian religion
- :cause it is an open supporter of the Constitution.
- :cause it is the ONE organization fighting for repeal of the Segregation ruling by the Supreme Court of the United States.
- :cause it believes in and fights for state sovereignty.
- :cause it is neither Democratic or Republican, politically, but ALWAYS AMERICAN.
- :cause it fights for the glory of the flag and for the rights of free men.
- :cause it believes in law and order and good government.
- :cause it exalts principle above men.
- :cause it stands for segregated schools, NOW and ALWAYS!
- :cause it is opposed to intermarriages between niggers and White people Several states have already legalized such marriages, & more are to follow.
- :cause it believes that the White race is God's race through which He wants to maintain a just civilization
- :cause it believes the Bible doctrine of the separation of the races.
- :cause it believes that Justitia is not the religion of the Bible, but that it is a set of principles for the purpose of elevating the white race beyond the White race.
- :cause it has an effective program against Socialism, Communism, and ultra left wing liberalism.
- :cause it believes the highest type of citizenship is Christian citizenship.
- :cause it believes all Constitutional changes are to be made by Congress, and ratified by the State Legislature.
- :cause it believes in getting the United States out of the United Nations Organization.
- :cause it believes that every preacher holding a congregation but who teach integration should retire from his pulpit, either willingly or be forced out.
- :cause it is opposed to forcing defenseless children to have nigger playmates.
- :cause it believes in free speech and free press, as opposed to authoritarianism as a police state.
- :cause we believe it to be the most effective way to fight all forms of subversion.
- :cause we oppose niggers teaching White children in public schools, which they will do in all integrated schools before long.
- :cause it is the most effective way to fight organized crime in a community.
- :cause it teaches men should love their own wives and let other women alone.
- :cause it is opposed to Loan Shanks charging an unlawful rate of interest to the poor people.
- :cause it believes in trials by jury.
- :cause it does not endorse either the Republican or Democratic parties politically as such, but does support candidates in both when said candidates stand for a 100% Americanism.
- :cause it is opposed to disarmament in any form and unalterably in favor of the right of citizens to bear arms.
- :cause it teaches that every school teacher in our public schools should be retired who believes in and teaches integration of black and White races.
- :cause it stands for the disenfranchisement of all foreigners who have not been in America for the same length of time as our own boys and girls to teach legal voting age.
- :cause it stands for segregation on inmates in penal and mental institutions, especially the juveniles.
- :cause it opposes free Communist literature being sent through the United States mail to Americans.
- :cause it is unalterably opposed to the Zionist Jew program.
- :cause it is opposed to the Anti-Defamation League in all respects.
- :cause it knows the United Nations Charter has usurped the Constitution of these United States, and we are trying to get the United States out of the UN.
- :cause it was here YESTERDAY, and is here TODAY, and will be here FOREVER.
- :cause it stands against UNESCO in its attempt to rewrite our American history.
- :cause it is opposed to a police state which robs the individual of his rights.
- :cause it does not believe that education is THE remedy for our political ills.
- :cause it is opposed to any government professing to be friendly to America, while at the same time trading with any communist-dominated country.
- :cause it is opposed to taxation without representation.
- :cause it is opposed to the income tax laws as presently existing.
- :cause it is opposed to the World Health Organization and the National Mental Health Act and all forms of psychiatric education of our children and citizens.

Exhibit 4. Policy statement furnished by Mr. Murray Martin.

MURRY MARTIN EXHIBIT No. 14—Continued

THE MEANING OF AMERICANISM

Americanism is a living, dynamic force governing the lives of our people, who are peculiarly blessed with the opportunity of living under a representative form of government, protected by the most amazing instrument of human conduct ever devised by man, the CONSTITUTION of the UNITED STATES.

Americanism is a form of controlled liberty in which the rights of the small and the large are protected for the greatest good of all. Its practical guiding principles are clearly enshrined in the DECLARATION of INDEPENDENCE and in the PREAMBLE to our CONSTITUTION. Its foundation is the infinite dignity and worth of the individual.

The essence of Americanism is spiritual. It holds that there is a moral God in the universe, and that by virtue of this fact, there is a moral purpose in the affairs of mankind. Our social sciences is predicated on the tenets of the JUDGES on the RIGHT and the THE COMMONS. The very essence of American jurisprudence is the protection of personal liberty and property from the encroachment of others and from GOVERNMENT itself. It recognizes as its enemy, both the will of the tyrant and the whims of the masses.

Americanism holds that every person has an inherent right to think, to act, to express opinions, to seek redress against wrongs, and to change his personality without fear. It gives each American, whether rich or poor, white or black, Jew or Gentile, the right to challenge wrong and oppression without the threat of retaliation. It means that every American is given the right to invest in the soil of his country, and to enjoy the benefits from his labors and his thrift. Americanism holds that these rights be protected for all, not merely for the privileged.

Our schools, our churches, our civic organizations and our magnificent philanthropies, - all bespeak a sense of moral obligation to others, and a spirit of brotherhood transcending that of other people in the entire world.

Americanism, however, is not a one way street. It imposes rightful obligations upon individuals and groups to play the game of living with a concern for the welfare of the community, state, and nation.

Americanism is humanity's most glorious experiment in the science of living. If this experiment should fail, civilization itself might be doomed. The secret guarantee for continued success is a personal citizenship, dedicated to the ideals and purposes of this great REPUBLIC. Americanism is mankind's remaining hope for a decent and just world!

And in this hour of critical crisis, when this lofty heritage of Americanism is seriously threatened by a ruthless, Godless Communist conspiracy as well as by an expanding Sulfur State, which could destroy the incentive of our citizen to create and produce as well as impair the will to defend our heritage, let every loyal American have emblazoned on his conscience the immortal pledge of the brave men who first gave articulation to the ideals of Americanism in the DECLARATION of INDEPENDENCE.

AND FOR THE SUPPORT OF THIS
DECLARATION, WITH A FIRM RE-
LIANCE ON THE PROTECTION OF
DIVINE PROVIDENCE, WE MUTU-
ALLY PLEDGE TO EACH OTHER
OUR LIVES, OUR FORTUNES, AND
OUR SACRED HONORS



MURRY MARTIN EXHIBIT NO. 14—Continued

can furnish us, to see what type of thing you are using in your training, and in your educational program?

A—I will be glad to furnish you with samples, a lot of which is not our own. We use other Organizations' literature, and we learn by it; but of course, we have literature of our own, and I can and will send you some of this.

Q—Mr. Martin, do you have anything you want to add to your testimony?

A—Nothing that I can think of.

Q—I would like to thank you for our Committee. This is the end of the Staff Consultation. The time is 7:48 P. M.

MURRY MARTIN EXHIBIT NO. 14—Continued

DUTIES OF COMMITTEES

POLITICAL ACTION COMMITTEE

- (a) The duty of the political action committee is to study all political activities in the jurisdiction of the Klavern.
- (b) Keep the E. C. and the members of the Klavern informed on all matters of political interest. This includes State, National and International.
- (c) Be well enough informed to recommend what political candidates or issues to support or oppose and give recommendations to Klavern on such.
- (d) Keep a record of all political activities within the jurisdiction of the Klavern, and be prepared to present it or any part of it to the Klavern upon request of E. C.
- (e) Stay out of other Klavern Klanton unless otherwise agreed by same.
- (f) From time to time the members of this committee will be requested to effectively contact their State Representatives and State Senator, as well as their Democratic State Central Committeemen for one or more of the following purposes:
 - (1) To determine their position on a specific matter then before them.
 - (2) To obtain their support and cooperation in either passing, amending or defeating that measure, or
 - (3) To learn and report the person or persons most able to influence them on such matters.

THE MEMBERS OF THIS COMMITTEE WILL BE CONTACTED, FREQUENTLY ON VERY SHORT NOTICE, FROM TIME TO TIME TO ASSIST IN LINING UP THEIR REPRESENTATIVES, SENATORS AND COMMITTEEMEN IN SUPPORT OF OUR POSITION.

EDUCATION COMMITTEE

- (a) The Education Committee is responsible for the educating of the public in all matters of interest within the jurisdiction of the Klavern.
- (b) Collect and distribute any literature that they can obtain that will further the cause of our organization.
- (c) Write letters to the public on political or other issues of interest within the jurisdiction of the Klavern.
- (d) Check books in the libraries of Schools, Churches, etc, and check any books or literature that is exposed to the public to assure that it does not contain communist influence material, (or integration material)..
- (e) Write letters of protest to individuals or organizations that publicly advocate integration, or communism.
- (f) Write letters of appreciation to those who are working to further Americanism, Segregation, and etc.

MEMBERSHIP COMMITTEE:

- (a) The membership committee keeps all records of the members, (Not excluding the sect.) prospective members, and rejected and/or suspended members.
- (b) See that all material and literature in the possession of an expelled or suspended member is returned to the unit.

Exhibit 6. Statement of functions of committees in Klan organizational structure, furnished by Mr. Murray Martin.

MURRY MARTIN EXHIBIT No. 14—Continued

- (c) Encourage regular attendance of members.
- (d) Report on all members unable to attend regularly.
- (e) Attempt to notify all members of special events, called meetings, summons, etc.

BENEVOLENCE COMMITTEE:

- (a) The Benevolence Committee is in charge of all charity activity within the unit.
- (b) Reports on all sick members, send flowers or cards to them and asks for any assistance that the unit might provide for same.
- (c) Reports on and asks for assistance for persons other than members where the unit can be of assistance.

BUILDING COMMITTEE:

- (a) The building committee is in charge of the construction and maintenance of the Klavern.
- (b) Asks for or appoints members to work on the building or the grounds of same.
- (c) Sees that the building is kept clean, the grass is cut, all necessary repairs are made, and recommends changes or additions to the building.

PUBLIC RELATIONS COMMITTEE:

- (a) The Public Relations Committee is responsible for the relations between the organization and the non-member public.
- (b) Their duties are advisory only.
- (c) Inspect all out going literature and determine if it will create a good image.
- (d) Advise on all activities of the unit that concern the public to assure prestige and a good public image for the organization.

KLOKAN COMMITTEE:

- (a) This committee is appointed by the Klokkan of the Klavern and is under the direct supervision of the Klokkan.
- (b) Takes no action other than that specifically ordered by the Klokkan.

THE WAY OF THE KLAVERN

The following should be given to each new member immediately after the naturalization ceremony.

The newly made member be conducted to the Klocards' station by the Kladd. The Klocard will then instruct the new members as follows:

1. Destroy application
2. Instruct the member in the use of the gavel.

The CHAIRMAN. Call the next witness, Mr. Appell.

Mr. APPELL. Mr. Wilder.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILDER. I do.

**TESTIMONY OF LLOYD GRADY WILDER, ACCOMPANIED BY
COUNSEL, JAMES R. VENABLE**

Mr. APPELL. Mr. Wilder, will you state your name?

Mr. WILDER. Lloyd Grady Wilder.

Mr. APPELL. When and where were you born?

Mr. WILDER. September 11, 1922, St. Landry, Louisiana.

Mr. APPELL. L-a-n-d-r-y?

Mr. WILDER. That is right.

The CHAIRMAN. That is the name of a parish. What town?

Mr. WILDER. It is also the name entered on the birth certificate. Long Pine.

Mr. APPELL. Where do you currently reside?

Mr. WILDER. Jena, Louisiana.

Mr. APPELL. Mr. Wilder, are you appearing here this afternoon in accordance with a subpoena served upon you on the 27th day of October at Third Street, Jena, Louisiana?

Mr. WILDER. That is right, sir.

Mr. APPELL. Mr. Wilder, the subpoena served upon you commands you to bring with you and to produce documents set forth in the attachment to the subpoena which is made a part of the subpoena. Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan and affiliated organizations, namely, Christian Constitutional Crusaders, in your possession, custody or control, or maintained by you or available to you as Secretary or other officer of the Original Knights of the Ku Klux Klan and/or Christian Constitutional Crusaders.

I ask you to produce those documents, Mr. Wilder.

Mr. WILDER. Sir, I respectfully decline to produce those documents for the reason that it might intend to violate my constitutional rights under the 1st amendment of the Constitution of the United States guaranteeing freedom of speech, the right of people to peacefully assemble and to associate together for the exchange of ideas in matters of public concern, and further on the constitutional grounds of the 4th and 5th amendments, that producing such documents might intend to incriminate me, and also on the 14th amendment, should I be compelled to answer this question or to produce such documents, then I would be denied my constitutional rights as provided under the 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the fact that the bank records of the Christian Constitutional Crusaders show that Mr. Wilder held the position of secretary, I request that he be directed to produce the documents called for.

The CHAIRMAN. Mr. Wilder, were you in the hearing room when Mr. Swenson and Mr. Martin were on the stand today?

Mr. WILDER. Yes, sir.

The CHAIRMAN. You heard me explain to both Mr. Swenson and Mr. Martin that this subpoena requires you to produce these documents and papers in your capacity as an official of the Klan organization to which you belong. You heard me say that and you understand the position of the committee.

Mr. WILDER. Yes, sir.

The CHAIRMAN. I will repeat it to you. I am required to do that by court decision.

We do not accept your invocation of the constitutional amendments to which you refer because the subpoena requires you to produce the papers and documents outlined in the subpoena in your official capacity indicated. Therefore, I order and direct you to produce those documents.

Mr. WILDER. Sir, I respectfully decline to produce those documents on the constitutional grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Did he set forth his grounds?

The CHAIRMAN. On the grounds previously stated. You mean on the constitutional grounds previously stated?

Mr. APPELL. Mr. Wilder, paragraph 2 of the subpoena commands you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you in your capacity as Secretary and/or member of the Original Knights of the Ku Klux Klan and/or Christian Constitutional Crusaders which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents called for.

Mr. WILDER. Sir, I respectfully decline to produce those documents for the same constitutional grounds previously stated.

The CHAIRMAN. For the reasons previously indicated, I order and direct you to produce those documents.

Mr. WILDER. Sir, I respectfully decline to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, paragraph 3 calls for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service Form 1120, "U.S. Corporation Income Tax Return," for the fiscal years 1961 through June 30, 1965, filed by you as Secretary of the Christian Constitutional Crusaders.

Mr. WILDER. Sir, I respectfully decline to produce those documents on the same constitutional grounds previously stated.

The CHAIRMAN. For the reasons that I stated previously, I now order and direct you to produce those documents.

Mr. WILDER. Sir, I respectfully decline to produce those documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, the subpoena calls, under paragraph 4, for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

Mr. WILDER. Sir, I respectfully decline to produce those documents on the constitutional grounds that it might tend to incriminate me, on the fifth amendment.

Mr. APPELL. Mr. Wilder, will you set forth briefly your educational background?

Mr. WILDER. Sir, I respectfully decline to answer that question on the grounds that it might tend to incriminate me.

The CHAIRMAN. Please talk louder.

Mr. APPELL. Will you briefly set forth your occupational background?

Mr. WILDER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Are you principally engaged in the heating and air-conditioning business in Jena, Louisiana?

Mr. WILDER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, the committee's investigation establishes that through the secretary, whether it be the klavern or the realm, paper of the Klan flows. A Klavern making a report to the realm makes its report through the realm secretary. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the secretary of the organization known as the Original Knights of the Ku Klux Klan, which organization used as a cover name the Christian Constitutional Crusaders.

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. During the time that Royal V. Young was the Imperial Dragon of the Original Knights of the Ku Klux Klan, the period ending in early 1964, Mr. Young testified that you held the position of secretary-treasurer. Was Mr. Young's testimony factual?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I hand you an envelope containing three checks drawn by the Louisiana Rifle Association against their account at the Louisiana Bank and Trust Company, payable to L. G. Wilder, Grady Wilder, or Mr. L. G. Wilder. I will ask you the purpose for which those checks were drawn.

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

(Checks marked "Lloyd Wilder Exhibit No. 1." One of said checks follows; balance retained in committee files.)

LLOYD WILDER EXHIBIT No. 1



Mr. APPEL. With Mr. Young being deposed as the Imperial Dragon and Mr. Swenson being deposed from his office, did you know Mr. Murry H. Martin to be the next Grand Dragon of the Original Knights of the Ku Klux Klan of Louisiana?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPEL. I hand you the signature card for the account in the name of the Christian Constitutional Crusaders at the Ouachita National Bank, in Monroe, Louisiana, and put it to you as a fact, and ask you to affirm or deny the fact, that this signature card shows the president of the organization to be M. H. Martin, the secretary to be L. G. Wilder, and the treasurer to be Henry I. Bayles.

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 4." See p. 2367.)

Mr. APPEL. Mr. Wilder, how many Klan organizations, to your knowledge, are existing in the State of Louisiana?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPEL. In the latter part of 1964 and early 1965, did dissension grow within the ranks of the organization headed by Mr. Martin so that certain Klaverns and leaders defected from your organization and started new Klan groups?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPEL. Did Houston P. Morris, grand kleagle of the Original Knights of the Ku Klux Klan under Mr. Martin, break away and take his following with him and form the Original Ku Klux Klan of America, Incorporated?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did a group of Klansmen in the Sixth Congressional District at the same time break away from the leadership of Mr. Martin and go as an independent Klan organization sometimes known as the Original Knights of the Ku Klux Klan, Louisiana?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did Henry I. Bayles, who was the treasurer of the organization at the same time that you were the secretary, break with the organization and is he now with the United Klans of America, Knights of the Ku Klux Klan?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, a review of deposit slips filed or appended to deposits to the account of the Christian Constitutional Crusaders at the Ouachita National Bank, in Monroe, Louisiana, contains a list of the following individuals. I hand you a list and I put it to you as a fact, and ask you to affirm or deny the fact, that these people were members of your Klan organization.

The CHAIRMAN. The reporter will make note of the fact to insert at the points where the previous witnesses and this witness testified with reference to documents, that those documents should be included in the printed record at those respective points.

Mr. WILDER. I respectfully refuse to answer that question on the constitutional grounds previously stated.

(Document marked "Lloyd Wilder Exhibit No. 2" follows:)

LLOYD WILDER EXHIBIT No. 2

Subject: Christian Constitutional Crusaders

Bank Account,
The Ouachita National Bank
Monroe, Louisiana

(Deposit slips from January 31, 1964, to October 19, 1964)

Following is a list of individuals (only those positively deciphered) listed on the deposit slips for Christian Constitutional Crusaders bank account:

Marvin C. Brister
Dale Blackman
Norman D. McFerran
A. J. Kidd
Carl J. Teal
Earnest Martin
C. C. Charles
L. G. Wilder
Eddie J. Moore
Ed Leggett
W. Jenkins
Harold Smith
W. J. Williams
Gary Core
Bobby Lang

L. D. Starns
H. W. Nickens
Clarence Boykin
Cecil Cliburn
Melvin Jackson
J. D. Baker
Paul Loft
C. Tigner
R. C. Colvin
Tilman C. Rinehart
Harold E. Gordon
Mrs. T. R. King
W. R. Watson
Eric Peterson
James Manning

LLOYD WILDER EXHIBIT No. 2—Continued

E. B. Smith
R. S. Wright
Frank Cooper
Gene Halford
Edward H. Browning
Gerald Myers
Aubrey Gerald Myers
James R. Dunaway
E. L. Murray
C. R. Watts
Tommie Thompson
Mrs. Hattie J. Atkinson
L. B. Binehart
Donald Varnado
Browning Grocery
Donald Ray Martin
James W. Ford
Donnie Mann (608 Watson)

J. A. McGee
Frank Cooper
J. H. Drodgy
W. J. Hester
Anthony V. Brown
Joseph S. Reeves
Alex J. Langer, Jr.
John R. Smith
Jimmie N. Atkins
James L. Collins
C. R. Moore
Hardy J. Penton
Phillip Harrell
Bert N. Stafford
Milton H. Ballard
Don Hudson
Angus Rogers
Ronald Byrd

Mr. APPELL. Mr. Wilder, did the Little River Rod and Gun Club which maintained a banking account at the Guaranty Bank and Trust Company, Alexandria, Louisiana, make checks payable to you as secretary for their dues and the realm's share of the initiation fee collected from members of that Klavern?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Wilder, would you be willing to explain to the committee the purposes and functions of the wrecking crew which is provided for by the constitution of the Original Knights of the Ku Klux Klan?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Do you possess knowledge of any act of violence carried out by members of the Original Knights of the Ku Klux Klan?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. To your knowledge, did the Original Knights of the Ku Klux Klan ever carry out any of its programs or objectives without the use of intimidation or violence?

Mr. WILDER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions of this witness.

The CHAIRMAN. The witness is excused. Call your next witness.

Mr. APPELL. Mr. Henry I. Bayles.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BAYLES. I do.

TESTIMONY OF HENRY I. BAYLES

Mr. APPELL. Will you state your full name for the record?

Mr. BAYLES. Henry I. Bayles.

Mr. APPELL. When and where were you born?

Mr. BAYLES. November 19, 1932, in West Monroe, Louisiana.

Mr. APPELL. Are you represented by counsel?

Mr. BAYLES. No.

Mr. APPELL. Do you desire counsel?

Mr. BAYLES. No, sir.

Mr. APPELL. Have you had the advice of counsel?

Mr. BAYLES. Yes.

Mr. APPELL. Is Mr. Chalmers your counsel?

Mr. BAYLES. I respectfully decline to answer that question for I feel the answer might incriminate me in violation of my rights as guaranteed me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Bayles, are you appearing before the committee this afternoon in accordance with a subpoena served upon you?

The CHAIRMAN. Before you ask that question, Mr. Bayles, you are appearing here without counsel. You were asked whether you wanted counsel. You said you did not. I think I should tell you that if you want it, you have a right to invoke the fifth amendment in your own way and within your own right. I just want to let you know that. We respect your invocation in that respect in the same way and to the same extent as though you had a lawyer.

You understand what I am saying? I am not asking you a question. I am just telling you that.

Mr. BAYLES. I understand.

Mr. APPELL. Mr. Bayles, are you appearing before the committee this afternoon in accordance with a subpoena served upon you on the 26th day of October 1965, at 2006 DeSiard Street, Monroe, Louisiana?

Mr. BAYLES. November 15.

Mr. APPELL. That is the date?

Mr. BAYLES. That I was to appear.

Mr. APPELL. You were served on October 26 by the United States marshal?

Mr. BAYLES. Yes.

Mr. APPELL. Under the terms of that subpoena, you were commanded to bring with you and produce documents set forth in an attachment that was made a part of the subpoena:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan and affiliated organizations, namely, the Christian Constitutional Crusaders, in your possession, custody or control, or maintained by you or available to you as Treasurer and/or member of Original Knights of the Ku Klux Klan and/or the Christian Constitutional Crusaders.

I ask you to produce those documents.

Mr. BAYLES. Sir, I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated November 15, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Sir, I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated November 15, 1965, for the information is not relevant and germane to the subject under investigation and does not aid the Congress in the consideration of valid or remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. That is a good one.

Mr. APPELL. I ask that the witness be directed to produce the documents called for.

The CHAIRMAN. You were in the hearing room when I instructed the previous witnesses concerning the production of records under subpoenas served on them, and on you, in a representative capacity. Were you in the room at that time?

Mr. BAYLES. Yes.

The CHAIRMAN. I am not——

Mr. BAYLES. Yes.

The CHAIRMAN. You appear to be a very bright young man, and I suppose you understand, or understood what I said, that is, that since this subpoena calls for you to produce documents to this committee in a representative capacity, I do not accept your invocation.

Do you understand what I am saying?

For that reason, and I am sure you follow me, I direct you to produce the documents.

Mr. BAYLES. I respectfully decline to deliver to the committee any and all documents demanded by the committee in the subpoena dated November 15, 1965, because I honestly feel it would tend to incriminate my rights contained in amendments 5, 4, 1, and 14 of the Constitution of the United States.

I decline to deliver to the committee all records requested by the committee under subpoena dated November 15, 1965, for that information is not relevant and germane to the said investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Bayles, I might advise you, if you have discussed with counsel you might know, that in the future, with respect to the production of documents, the committee will accept all of those reasons in an answer which would encompass "for the reasons previously stated," which would not require you to repeat all the language each time.

The CHAIRMAN. Do you understand that?

Mr. BAYLES. Yes.

The CHAIRMAN. What he is trying to tell you is, if you want to you may, from here on, if that is to be your course of action, say, "I decline to answer the questions on the grounds previously stated."

Mr. APPELL. Paragraph 2 calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Treasurer, past or present, of the Original Knights of the Ku Klux Klan and/or Christian Constitutional Crusaders which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce the documents called for in paragraph 2.

Mr. BAYLES. I refuse to deliver to the committee any and all documents demanded for the reasons previously stated.

The CHAIRMAN. And for the reasons I stated, I order you to produce the documents.

Mr. BAYLES. For the constitutional reasons previously stated, I decline to do so.

Mr. APPELL. Paragraph 3 calls for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120. "U.S. Corporation Income Tax Return," for the fiscal years 1961 through June 30, 1965, filed by you as Treasurer of Christian Constitutional Crusaders.

Mr. BAYLES. I respectfully decline to deliver to the committee any and all documents as demanded by the committee for the constitutional reasons previously stated.

The CHAIRMAN. And for the reasons I previously stated, I order and direct you to produce them.

Mr. BAYLES. I respectfully decline to deliver to the committee any and all documents demanded by the committee for the constitutional reasons previously stated.

Mr. APPELL. Paragraph 4 calls for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040. "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

Mr. BAYLES. I respectfully decline to deliver to the committee any and all documents as demanded by the committee for the constitutional reasons previously stated.

Mr. APPELL. Mr. Bayles, where do you presently reside?

Mr. BAYLES. I respectfully decline to answer that question for the reason that I honestly feel my answer might incriminate my rights as guaranteed by amendments 5, 4, 1, and 14 of the Constitution.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you reside at 201 Elmwood Drive, Monroe, Louisiana.

Mr. BAYLES. I refuse to answer on the grounds my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Where are you currently employed?

Mr. BAYLES. I respectfully decline to answer that question because I honestly feel that my answer might tend to incriminate me as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States.

The CHAIRMAN. Mr. Bayles, if you wish to, you may say in answer to following questions you refuse to answer the questions on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are employed by the Gregg Implement Company, 2006 DeSiard Street, Monroe, Louisiana.

Mr. BAYLES. Sir, I respectfully decline to answer that question for the reasons previously given.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you have held the position of Grand Dragon, great titan, and treasurer.

Mr. BAYLES. I decline to answer on the grounds previously stated.

Mr. APPELL. Mr. Bayles, I put it to you as a fact, and ask you to affirm or deny the fact, that during the days when the Original Knights were under the leadership of Mr. Young and Mr. Swenson, that it used as a cover name the Louisiana Rifle Association.

Mr. BAYLES. I respectfully decline to answer that question for the reason previously given.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you signed a signature card on account of the Original Knights of the Ku Klux Klan on February 3, 1964, at the Ouachita National Bank of Monroe, Louisiana, in the name of the Christian Constitutional Crusaders? (See Murry Martin Exhibit No. 4, p. 2367.)

Mr. BAYLES. I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. Mr. Bayles, as the treasurer of the Original Knights of the Ku Klux Klan, you were responsible for cosigning checks drawn against the account maintained in its banking institutions. Can you tell the committee the purpose for which checks were drawn to your-

self, L. G. Wilder, Robert Fuller, Houston P. Morris, and Murry Martin?

Mr. BAYLES. Sir, I respectfully decline to answer that question for the constitutional reasons given previously.

Mr. APPELL. Under the constitution and laws of the Original Knights of the Ku Klux Klan, Realm of Louisiana, there is provision for the creation within Klaverns of a body known as the wrecking crew. Can you tell the committee the purpose and function of the wrecking crew?

Mr. BAYLES. Sir, I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. Did you ever serve as a member of a wrecking crew?

Mr. BAYLES. I respectfully decline to answer that question for the reasons previously given.

Mr. APPELL. Have you, as a Klansman, ever engaged in active violence?

Mr. BAYLES. I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. Early in 1965, Mr. Houston P. Morris broke from the Original Knights of the Ku Klux Klan and formed the Original Ku Klux Klan of America, Inc.

Did you join with him in this organization?

Mr. BAYLES. Sir, I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. In the summer of 1965, the bulk of its membership disbanded from the Original Ku Klux Klan of America, Inc., and became affiliated with the United Klans of America, Inc., under the Realm of Louisiana under the Imperial Wizard, Robert Shelton, Tuscaloosa, Alabama. Are you one of the members that took that course of action?

Mr. BAYLES. I respectfully decline to answer that question for the constitutional reasons previously given.

Mr. APPELL. I have no further questions of this witness.

The CHAIRMAN. The witness may be excused.

The committee will stand in recess for 5 minutes.

(Whereupon, at 4:35 p.m., the subcommittee recessed and reconvened at 4:57 p.m. with the following subcommittee members: Representatives Willis, Weltner, and Buchanan, present at time of recess and when hearing resumed.)

The CHAIRMAN. The subcommittee will come to order.

Counsel will call the next witness.

Mr. APPELL. I would like, Mr. Chairman, to call Billy Skipper.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SKIPPER. I do.

The CHAIRMAN. Proceed.

**TESTIMONY OF BILLY SKIPPER, ACCOMPANIED BY COUNSEL,
JAMES R. VENABLE**

Mr. APPELL. Would you state your full name for the record, Mr. Skipper?

Mr. SKIPPER. Billy Skipper.

Mr. APPELL. When and where were you born?

Mr. SKIPPER. In Baskin, New Orleans, 1933.

Mr. APPELL. What month and day of 1933?

Mr. SKIPPER. April 22.

Mr. APPELL. Are you appearing before the committee with counsel?

Mr. SKIPPER. Sir?

Mr. APPELL. Are you appearing with counsel?

Mr. SKIPPER. Yes, sir.

Mr. APPELL. Will counsel please state his name for the record?

Mr. VENABLE. James R. Venable, attorney, Atlanta, Georgia.

Mr. APPELL. Mr. Skipper, are you appearing before the committee in accordance with a subpoena served upon you by United States marshal on the 30th day of October 1965?

Mr. SKIPPER. Yes, sir.

Mr. APPELL. Mr. Skipper, the subpoena served upon you has an attachment which is made part of the subpoena, and it directs you to produce for the committee those documents described in two paragraphs.

Paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan and affiliated organizations, in your possession, custody or control, or maintained by you or available to you as Klan Bureau Investigator and/or member of the Original Knights of the Ku Klux Klan.

I ask you to produce those documents.

Mr. SKIPPER. Sir, I decline to produce those documents on the constitutional grounds of the 4th amendment of the Constitution—the 4th, 5th, and 14th amendments.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents called for in paragraph 1.

The **CHAIRMAN.** Mr. Skipper, you were in the audience, were you not, when I explained to the previous witnesses what this subpoena called for, that is, that they called on you to produce documents which you hold in a representative capacity? You understand that?

Mr. SKIPPER. Yes, sir.

The **CHAIRMAN.** We do not accept your right to invoke the constitutional amendments you outlined, as I previously stated. Therefore I direct you to answer this question.

Mr. SKIPPER. I decline to produce these documents and records on the grounds previously stated.

Mr. APPELL. Mr. Skipper, paragraph 2 calls for the production of:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past Klan Bureau Investigator and/or member of the Original Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I direct that you produce those documents.

Mr. SKIPPER. I decline to produce those documents on the grounds previously stated.

The CHAIRMAN. And for the reasons you previously stated you decline to produce them?

Mr. SKIPPER. For the reasons I previously stated.

Mr. APPELL. Mr. Skipper, would you give the committee your educational background?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you have had a seventh-grade grammar school education.

Mr. SKIPPER. I respectfully decline, on the constitutional grounds previously stated.

Mr. APPELL. What is your employment background from the year 1960?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are presently self-employed as a plumbing contractor.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, have you had any military service?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm to deny the fact, that you served in the United States Army from May 5, 1953, to April 21, 1955, and transferred into the United States Army Reserve to complete your military obligation and were in the Reserve from April 1955 to June 1961.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. While a member on active duty in the United States Army were you ever court-martialed?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you——

The CHAIRMAN. One moment, please.

Mr. APPELL. Mr. Skipper, I put it to you as a fact, and ask you to affirm or deny the fact, that in March of 1965 you attended a meeting of four factions of the Original Knights of the Ku Klux Klan, meeting held in Baton Rouge, Louisiana——

Mr. SKIPPER. I respectfully——

Mr. APPELL.—for the purpose of attempting to reunite these groups under one head.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, I put it to you as a fact, and ask you to affirm or deny the fact, that you were the chief of the Klan Bureau of Investigation for the Sixth Congressional District of Louisiana of the Original Knights of the Ku Klux Klan.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, under the constitution of the Original Knights of the Ku Klux Klan of Louisiana it states that no one will carry a gun inside the state or province meeting except those appointed by the "Chief KBI or Province KBI." Would you tell us the functions of the province KBI?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. The word "province" in this instance as I recall it, Mr. Appell, encompasses a congressional district. Is that right?

Mr. APPELL. Yes, sir, and in the case of Mr. Skipper it is the Sixth Congressional District.

Mr. Skipper, have you received from the Federal Communications Commission authority to operate a Class D citizens band radio?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, I will show you a copy of an application signed Billy Skipper, dated August 21, 1964, application for a Class D citizens band license. I wish to read from that application language which appears on the reverse side. It reads:

On the application I mailed the 15 transmitters I requested was a mistake in filling out the application. I only need 10 because I am self-employed in Plumbing & Heating. Thank you. Billy Skipper.

I ask you to look at this and ask you whether this is a true copy of the application you executed and filed with the Federal Communications Commission.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document marked "Billy Skipper Exhibit No. 1" follows:)

BILLY SKIPPER EXHIBIT NO. 1

FCC FORM NO. 1
REVISED MAY 1964UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554THIS APPROVED
SUBMIT BUREAU NO. 9-6666APPLICATION FOR CLASS B, C, OR D STATION LICENSE IN THE
CITIZENS RADIO SERVICE

RECEIVED

DO NOT WRITE IN THIS BLOCK

90287

AUG 27 64

FCC-WASHINGTON, D. C.

1. Application for Class A station license must be filed on FCC Form No. 1.
2. Complete by typewriter or print clearly.
3. Be sure application is filled out and dated. Mail application to Federal Communications Commission, (Washington, Pa. 17257).
4. Enclose appropriate fee with application. If you wish to receive a copy of the Commission's decision, a fee is required.

1	NAME OF APPLICANT BUSINESS NAME (OR LAST NAME, IF AN INDIVIDUAL) <u>SKIPPERS Plumbing Heating</u> FIRST NAME (IF AN INDIVIDUAL) _____ MIDDLE INITIAL _____	YES NO						
2	IF AN INDIVIDUAL OPERATING UNDER A TRADE NAME, GIVE INDIVIDUAL NAME, OR IF PARTNERSHIP, LIST NAMES OF PARTNERS (Do not repeat any name used in item 1) <table border="1"> <tr> <th>LAST NAME</th> <th>FIRST NAME</th> <th>MIDDLE INITIAL</th> </tr> <tr> <td><u>SKIPPEN</u></td> <td><u>Billy</u></td> <td></td> </tr> </table>	LAST NAME	FIRST NAME	MIDDLE INITIAL	<u>SKIPPEN</u>	<u>Billy</u>		
LAST NAME	FIRST NAME	MIDDLE INITIAL						
<u>SKIPPEN</u>	<u>Billy</u>							
3	MAILING ADDRESS NUMBER AND STREET <u>RT # 1</u> CITY <u>DENHAM SPRINGS</u> STATE <u>LA</u> ZIP CODE <u>70438</u>							
4	CLASSIFICATION OF APPLICANT (See instructions) <input checked="" type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> GOVERNMENTAL ENTITY <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER (Specify): _____							
5	CLASS OF STATION (Check only one) <input type="checkbox"/> CLASS B <input type="checkbox"/> CLASS C <input checked="" type="checkbox"/> CLASS D							
6	IS THIS APPLICATION TO MODIFY OR RENEW AN EXISTING STATION LICENSE? <input type="checkbox"/> YES (Give call sign): _____ <input checked="" type="checkbox"/> NO							
7	DO YOU NOW HOLD ANY STATION LICENSE, OTHER THAN THAT COVERED BY ITEM 6, OF THE SAME CLASS AS THAT REQUESTED BY THIS APPLICATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
8	TOTAL NUMBER OF TRANSMITTERS TO BE AUTHORIZED UNDER REQUESTED STATION LICENSE <u>10 X 5</u> (Number)							
9	DOES EACH TRANSMITTER TO BE OPERATED APPEAR ON THE COMMISSION'S "RADIO EQUIPMENT LIST, PART C," OR, IF FOR CLASS C OR CLASS D STATIONS, IS IT CRISTAL CONTROLLED? (If no, attach detailed description; see subpart C of Part 18)	<input checked="" type="checkbox"/>						
10	A. WILL APPLICANT OWN ALL THE RADIO EQUIPMENT? (If no, answer B and C below) B. NAME OF OWNER _____ C. IS THE APPLICANT A PARTY TO A WRITTEN LEASE OR OTHER AGREEMENT UNDER WHICH THE OWNERSHIP OR CONTROL WILL BE EXERCISED IN THE SAME MANNER AS IF THE EQUIPMENT WERE OWNED BY THE APPLICANT? <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						
11	HAS APPLICANT READ AND UNDERSTOOD THE PROVISIONS OF PART 18, SUBPART D, DEALING WITH PERMISSIBLE COMMUNICATIONS FOR WHICH THIS CLASS OF STATION MAY BE USED?	<input checked="" type="checkbox"/>						
12	WILL THE USE OF THE STATION CONFORM IN ALL RESPECTS WITH THE PERMISSIBLE COMMUNICATIONS AS SET FORTH IN PART 18, SUBPART D?	<input checked="" type="checkbox"/>						
13	WILL THE STATION BE OPERATED BY ANY PERSON OTHER THAN THE APPLICANT, MEMBERS OF HIS IMMEDIATE FAMILY, OR HIS EMPLOYEES? (If yes, attach a separate sheet listing the names and relationship of all such persons and give a detailed reason for their operation of your station)	<input checked="" type="checkbox"/>						
14	IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY OF THE PARTNERS AN ALIEN?	<input checked="" type="checkbox"/>						
15	IS APPLICANT THE REPRESENTATIVE OF ANY ALIEN OR ANY FOREIGN GOVERNMENT? (If yes, explain fully)	<input checked="" type="checkbox"/>						
16	WITHIN 18 YEARS PREVIOUS TO THE DATE OF THIS APPLICATION, HAS THE APPLICANT OR ANY PARTY TO THIS APPLICATION BEEN CONVICTED IN A FEDERAL, STATE, OR LOCAL COURT OF ANY CRIME FOR WHICH THE PENALTY IMPOSED WAS A FINE OF \$50 OR MORE, OR AN IMPRISONMENT OF 6 MONTHS OR MORE? (See instructions. If yes, attach a separate sheet giving details of each such conviction)	<input checked="" type="checkbox"/>						
17	IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY PARTNER LESS THAN 18 YEARS OF AGE (LESS THAN 12 YEARS OF AGE IF FOR CLASS C STATION LICENSE)?	<input checked="" type="checkbox"/>						
18	IF THE PRINCIPAL LOCATION WHERE THE STATION WILL BE USED IS DIFFERENT FROM THE MAILING ADDRESS (ITEM 3), GIVE THAT LOCATION. (DO NOT GIVE POST OFFICE BOX OR RFD NO.) NUMBER AND STREET _____ CITY _____ STATE _____ IF LOCATION CANNOT BE SPECIFIED BY STREET, CITY, AND STATE, GIVE OTHER DESCRIPTION OF LOCATION _____							
DO NOT WRITE IN THIS BOX SCREENING <input checked="" type="checkbox"/> Y <input type="checkbox"/> N SIGNATURE <input checked="" type="checkbox"/> Y <input type="checkbox"/> N								

SIGN AND DATE THE APPLICATION ON REVERSE SIDE

BILLY SKIPPER EXHIBIT No. 1—Continued

IF APPLICANT IS A NONGOVERNMENTAL CORPORATION, ANSWER THE FOLLOWING ITEMS:		YES	NO	20. IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS:		YES	NO
IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN GOVERNMENT?			<input checked="" type="checkbox"/>	A. ANY OFFICER OR DIRECTOR OF THE ASSOCIATION AN ALIEN?			
IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?				B. ARE MORE THAN ONE FIFTH OF THE VOTING MEMBERS OF THE ASSOCIATION ALIENS OR REPRESENTATIVES OF ALIENS, FOREIGN GOVERNMENTS OR REPRESENTATIVES THEREOF, OR CORPORATIONS ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?			
IS MORE THAN ONE FIFTH OF THE CAPITAL STOCK EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?				C. IS THE ASSOCIATION DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER ORGANIZATION? (If yes, give detailed explanation)			
IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items E through K below)				USE THIS SPACE FOR ANY ADDITIONAL INFORMATION OR REMARKS			
GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION				<p>On the application I mailed the 15 transmitters I requested was a mistake in filling out the application. I only need 10. Because I am self employed in Plumbing & Heating.</p> <p>Thank you Billy Skipper</p>			
UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?							
IS MORE THAN ONE-FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)							
IS ANY OFFICER OR MORE THAN ONE-FOURTH OF THE DIRECTORS OF THE CONTROLLING CORPORATION AN ALIEN? (If yes, answer items I and J below)							
TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION				<p><i>Billy Skipper</i> <u>Sept. 22 44</u> Signature Date</p>			
LIST ALL OFFICERS AND DIRECTORS WHO ARE ALIENS IN CONTROLLING CORPORATION AND GIVE BRIEF BIOGRAPHICAL STATEMENT FOR EACH ALIEN							
NAME	NATIONALITY	OFFICE HELD					
IS THE CONTROLLING CORPORATION IN TURN CONTROLLED BY OTHER COMPANIES? (If yes, attach information for each of these controlling companies covering the information requested in items E through J, above)			<input type="checkbox"/> YES <input type="checkbox"/> NO				
<p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.</p>							

THE STATEMENTS MADE IN THE APPLICATION AND ATTACHED EXHIBITS ARE CONSIDERED MATERIAL REPRESENTATIONS, AND ALL THE EXHIBITS ARE FEDERAL PROPERTY HEREOF AND ARE INCORPORATED HEREIN AS IF SET OUT IN FULL IN THE APPLICATION.

CERTIFY THAT:

The applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service;

The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise;

The applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application;

The station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission; The said station will not be used for any purpose contrary to Federal, State or local law;

The applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons; and

The statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

DO NOT OPERATE UNTIL YOU HAVE YOUR OWN LICENSE. IF YOU CALL SIGN NOT YOUR OWN IS PROHIBITED.

SIGNATURE: *Billy Skipper* DATE SIGNED: *8/24/44*
(Circle appropriate box below)

☒ INDIVIDUAL APPLICANT

☐ MEMBER OF APPLICANT PARTNERSHIP

☐ OFFICER OF APPLICANT CORPORATION OR ASSOCIATION

☐ OFFICIAL OF GOVERNMENTAL ENTITY

Mr. APPELL. I would like to ask you, Mr. Skipper, whether or not these 10 transmitters were requested for use in your plumbing and heating business or for use of the Original Knights of the Ku Klux Klan?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the transmitters were used on Klan business.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, on October 6, 1964, Howard M. Lee, who possessed an Alcoholic Tax Unit License to sell firearms, was arrested by the Treasury Department. He was charged with failing to keep adequate records for rifles which he had obtained from several wholesalers and which he had distributed throughout the Bogalusa area, most of them to members of the Klan.

Howard Lee, according to the committee's investigation and according to an interview with Howard Lee in the Federal penitentiary in Texarkana, Texas, was the exalted cyclops of the Mitch Community Unit of the Original Knights of the Ku Klux Klan, the Mitch Community being located in Bogalusa.

Did you know Howard M. Lee to be the exalted cyclops of the unit?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did Howard M. Lee visit with you at your residence in connection with Klan business?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I show you a sketch, a hand-drawn sketch, of how a person would outline the route which he would travel to get to your home. I ask you if this is factual?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Map sketch marked "Billy Skipper Exhibit No. 2" and retained in committee files.)

Mr. APPELL. Howard Lee drew that sketch in order to locate your residence. Did Howard Lee meet with you at your residence and discuss the business of the Original Knights of the Ku Klux Klan?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Howard Lee had in his possession a list containing names of people. I hand you this list in his hand and ask you if you knew those persons to be members of the Ku Klux Klan.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Document marked "Billy Skipper Exhibit No. 3" follows:)

BILLY SKIPPER EXHIBIT NO. 3

BILL OWENS ✓
 AUGUST VARNADO ✓
 HUSTON RABURN ✓
 CHARLES HUNT
 DANIAH SMITH X
 BARNEY CREECH ✓
 L.W. CARNIGIA ✓
 HAWARD CREECH ✓
 PIERCE O'BERRY ✓
 EDWIN KNIGHT ✓
 NEVERS HOLLAND ✓
 HAROLD THOMAS ✓
 ROY MILLER ✓
 EDWIN STREHE ✓
 OLLIN STOGNER ✓
 GLAY GALLOWAY ✓
 BILL MAGEE ✓
 DOYLE SIMMONS ✓
 BILLY RAYBURN ✓
 HARDY JENKINS ✓
 J.L. BAGGETT ✓
 SON MELTON ✓
 BOOTS GERALD ✓
 HAWARD RESTER ✓
 PRESS GOLDMAN ✓
 ALVIN BURTON ✓
 J.M. STICKER X
 RED BURDETT ✓
 BOYET J.A. ✓

WILLIE BURCH
 PREACHER DIKES ✓
 LAVELLE DIKES ✓
 JOE PROVOST ✓
~~W~~ WAYNE YOUNG ✓
 ALTON WELCH ✓
 WILLIE KUHN ✓
 MURL POPE ✓
 CARL RAY CRAIN ✓
 ALCUS DAVIS ✓
 TROY WHEAT X
 JAMES DAVIS ✓
 GRADY WARD ✓
 Sanders Cook Jr.
 H.P. Mitchell
 Prentiss Berry
 John
 Ray
 M.T.
 Frank Redwell
 Ralph Barton ✓
 Ben Biles
 Jack
 Red Camp
 Ray King
 J.D. Carroll

Mr. APPELL. Did you purchase pistols or rifles from Howard M. Lee?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. The records obtained by the Treasury Department from Howard Lee—and by the way, Mr. Chairman, I think the record should reflect that Howard Lee purchased for sale some 684 rifles and his records showed disposition of the rifles by him except in the case of 184. It was the failure to keep records of these that he was later indicted, tried, and sentenced to 3 years for, which he is now serving in the Federal penitentiary in Texarkana, Texas.

In 1964 he sold Billy Skipper, Denham Springs, Louisiana, one .303 Jungle carbine number MKF937A239, price \$32.50.

Did you purchase that rifle from Mr. Lee?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Entry under the same date, sold to Billy Skipper, Denham Springs, Louisiana, one 30 calibre U.S.M1. carbine, E-563, amount \$57.50. I show you this entry which contains a signature, Billy Skipper, and ask you if you purchased the rifle and if that is your signature.

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

(Excerpt from Howard Lee's records marked "Billy Skipper Exhibit No. 4" follows:)

BILLY SKIPPER EXHIBIT NO. 4

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* * * * *

7-28-64 Denham Springs La
Sold to Billy Skipper one 303 jungle carbine
#MKF937A239 32.50

* * * * *

7-28-64
Sold to Billy Skipper Denham Springs La
one 30 cal U.S. M.I Carbine 57.50
#E563

signed
Billy Skipper

Mr. APPELL. Mr. Skipper, when interviewed by agents of the Treasury Department did you admit that you had purchased from Mr. Lee one of the carbines that I have described to you?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. What weapons do you own other than those that I have described to you?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. In April 1965, following an argument, did you pull a gun on a Denham Springs police officer?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Skipper, in May of 1964, the Klan in Bogalusa, a part of the Sixth Congressional District, held a rally in which the Klansmen were masked in public in violation of Louisiana State law. Do you possess any knowledge of whether assurances were received by the Klan that they would not be prosecuted for violating the State law?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. As chief of the KBI in 1964 and early 1965, did cross-burning, throwing of tacks on people's lawns, threatening telephone calls, come under the jurisdiction of the KBI?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did you personally engage in any of these acts?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of this witness.

The CHAIRMAN. Mr. Skipper, is it not a fact that the application you filed with the Federal Communications Commission for a citizens band radio license was applied for by you for use by you not only as a member and official of the Klan group to which you belong, but also in your capacity as a member of the Klan Bureau of Investigation?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. Is it not a fact that the gun, or guns, you purchased from Mr. Lee were so purchased by you for use by you in your capacity as a member of the Klan Bureau of Investigation in the Sixth Congressional District, which is the area that you represent?

Mr. SKIPPER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. WELTNER. I have no questions.

Mr. BUCHANAN. I have no questions.

The CHAIRMAN. The documents we have just examined the witness on will be inserted in the record at the points where Mr. Appell previously questioned the witness.

Mr. Appell now has an additional question to ask and an additional document to offer in evidence.

Mr. APPELL. Mr. Chairman, I would like the record to show that the sketch which I exhibited to the witness, directions to his residence, was drawn by Howard M. Lee, the exalted cyclops of the Mitch Community Unit of the United Klans of America.

The CHAIRMAN. That drawing will be a part of the record.

Is that all?

Mr. APPELL. That is all, Mr. Chairman.

The CHAIRMAN. The committee will stand in recess until 10 o'clock tomorrow morning.

(Subcommittee members present: Representatives Willis, Weltner, and Buchanan.)

(Whereupon, at 5:20 p.m., Tuesday, January 4, 1966, the subcommittee recessed, to reconvene at 10 a.m., Wednesday, January 5, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

WEDNESDAY, JANUARY 5, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee met, pursuant to recess, as 10 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator, and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. Manuel, will you call the first witness.

Mr. MANUEL. Mr. Chairman, the staff would like to call at this time Mr. Ralph Blumberg.

The CHAIRMAN. Please raise your right hand, sir.

Do your solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BLUMBERG. I do.

TESTIMONY OF RALPH BLUMBERG

Mr. MANUEL. Mr. Blumberg, would you please state your full name for the record?

Mr. BLUMBERG. Ralph Blumberg.

Mr. MANUEL. And when and where were you born, Mr. Blumberg?

Mr. BLUMBERG. February 27, 1921, Cotton Plant, Arkansas.

Mr. MANUEL. Would you please give the committee a brief résumé of your educational background?

Mr. BLUMBERG. I completed 2 years at the University of Miss

Mr. MANUEL. And would you please give the committee a résumé of your career in the Armed Forces of the United States?

Mr. BLUMBERG. I served a little over 4 years in the United States Coast Guard.

Mr. MANUEL. What were the years of your service?

Mr. BLUMBERG. From 1941 to 1945.

Mr. MANUEL. Would you give the committee a brief résumé of your business and professional background?

Mr. BLUMBERG. I have been in broadcasting since 1945.

Mr. MANUEL. Were you ever a resident of Bogalusa, Louisiana?

Mr. BLUMBERG. Yes.

The CHAIRMAN. A little louder.

Mr. BLUMBERG. Yes. I went to Bogalusa in July 1961.

Mr. MANUEL. And what did you do in Bogalusa?

Mr. BLUMBERG. We purchased Radio Station WBOX, and I operated it as an owner and operator of the station.

Mr. MANUEL. That was in July 1961; is that correct, sir?

Mr. BLUMBERG. Yes, sir.

Mr. MANUEL. During that period of time, July 1961 and shortly thereafter, would you inform the committee as to your opinion as a private citizen of the racial situation which existed at that time in Bogalusa?

Mr. BLUMBERG. As far as I knew, from 1961, the next 3 or 4 years. I knew of no racial tension or any racial problems. Whether they existed or not is another question, but I knew of none of this.

Mr. MANUEL. Prior to approximately May of 1964, were you aware as a private citizen of the existence of a Ku Klux Klan organization in the area of Bogalusa, Louisiana?

Mr. BLUMBERG. I had heard some rumors to that effect, but they were merely rumors. I really couldn't say that I definitely knew factually, because I didn't.

Mr. MANUEL. When did you first become aware of such a group?

Mr. BLUMBERG. When they held an open rally in the city of Bogalusa in May of 1964. It was an open rally with all the regalia, hooded sheets and 20-foot crosses, this kind of thing.

The CHAIRMAN. Were they masked? Were any of them masked?

Mr. BLUMBERG. Yes. I didn't attend that rally. This is what was told to me.

The CHAIRMAN. From the reports and so on, it was a meeting where Klansmen appeared in hooded sheets or regalia?

Mr. BLUMBERG. Regalia.

Mr. MANUEL. During that time, May of 1964, were there any racial demonstrations in Bogalusa at that time?

Mr. BLUMBERG. No, not that I know of.

Mr. MANUEL. As a private citizen did you detect any racial tension at that time?

Mr. BLUMBERG. No. I have to be honest, as a private citizen I knew of no racial tension whatsoever or of any activity at that time.

Mr. MANUEL. Mr. Blumberg, in October of 1964 did you, with others, meet in order to form an organization to better deal with racial problems in the Bogalusa area?

Mr. BLUMBERG. Yes. In October of 1964 I was invited to the home of an attorney in Bogalusa, Mr. Bascom Talley, who had been ap-

pointed a Community Relations¹ official for Bogalusa, and when I arrived at his home I found a group of other citizens, including two men from Community Relations. I think at that time it was headed by former Governor LeRoy Collins. We were told they felt there was possible trouble coming to Bogalusa with the racial question and they wanted a group of citizens to get together and bring a speaker into Bogalusa in order to help Bogalusa avoid the racial pitfalls some of the other communities in the South had already experienced.

The CHAIRMAN. By "they" you mean former Governor Collins?

Mr. BLUMBERG. Yes.

Mr. MANUEL. From the period May 1964 until your initial meeting with this group which you have just described in October of 1964, did you as a private citizen detect Klan activities, recruitings, or rallies or anything of that sort in the Bogalusa area?

Mr. BLUMBERG. What period was that?

Mr. MANUEL. From May 1964, when you told the committee there was an open rally in Bogalusa, until October 1964 when you met with this group?

Mr. BLUMBERG. I had heard rumors of recruitment. I am not sure there were any open Klan activities. There may have been a few cross-burnings in this period. As a matter of fact, I think it was the editor of the newspaper, Lou Major, who had cross-burnings on his lawn at that time.

Mr. MANUEL. Was Mr. Major one of the men who comprised the group you met with in October, 1964?

Mr. BLUMBERG. Yes, he was.

Mr. MANUEL. Who were the other members of that group?

Mr. BLUMBERG. Reverend Jerry Chance, minister of the Main Street Baptist Church; Reverend Paul Gillespie, minister of the Memorial Baptist Church; Reverend Bruce Shepherd, minister of the St. Matthew's Episcopal Church; Lou Major, editor of the *Bogalusa News*; and Bascom Talley, an attorney and Community Relations representative.

The CHAIRMAN. Mr. Talley was then, or before or since, an official of the Louisiana Bar Association; was he not?

Mr. BLUMBERG. He was past president of the Louisiana Bar Association. I think he was president 2 years ago or perhaps 1 year ago. And myself. We were the six.

Mr. MANUEL. Specifically, Mr. Blumberg, what activities did this group engage in, in order to improve racial relations in Bogalusa? What did you plan to do?

Mr. BLUMBERG. We had decided to bring Brooks Hays to Bogalusa to speak to the professional and business community.

The CHAIRMAN. We know who he is, but for the record would you describe who he is?

Mr. BLUMBERG. Mr. Hays is an ex-Congressman from the State of Arkansas, and I understand he now has been working directly with the President, going around and speaking, especially in the Southern States.

The CHAIRMAN. He was an active religious leader; was he not?

Mr. BLUMBERG. He was. I started to say we wanted him because he was a prominent Baptist layman and we were told he was an engag-

¹ Community Relations Service.

ing speaker, somewhat of a humorist. And we felt if he talked to the professional and business community of Bogalusa, we possibly could avoid some of these racial pitfalls that some of the other communities had experienced prior to our problem. This actually was the main purpose of our organization.

Mr. MANUEL. Was your purpose at any time to force integration on the city of Bogalusa?

Mr. BLUMBERG. Absolutely not.

Mr. MANUEL. When was it decided to invite Mr. Hays to speak in Bogalusa?

Mr. BLUMBERG. We decided around the first part of December.

The CHAIRMAN. You are now in the year 1964?

Mr. BLUMBERG. In the year 1964; yes, sir. Mr. Talley had contacted Mr. Hays and invited him to speak in Bogalusa and Mr. Hays had accepted and we set the date around January 7.

Mr. MANUEL. After the decision was made by the six of you gentlemen, what action did you take to implement the appearance of Mr. Hays in Bogalusa?

Mr. BLUMBERG. The first thing we did, we went to talk to the city administrator, because we wanted the mayor and commission council to sponsor the speech. We wanted the mayor to introduce Mr. Hays and, frankly, we were going to step out of the picture.

We set up a meeting with Mayor Cutrer and the city council in the City Hall. This was the period right before Christmas, perhaps mid-December of 1964. We met with the mayor and the commission council and we told the mayor what we wanted to do.

Mr. MANUEL. Did you act as spokesman for this group at that time?

Mr. BLUMBERG. Yes, I did.

Mr. MANUEL. Please proceed.

Mr. BLUMBERG. Basically, what we told the commission council was that we wanted to bring Mr. Hays in. We explained why. In essence, what we were really after was to get the entire business and professional community behind the mayor and commission council if trouble started in Bogalusa. We felt they were out on a limb and somebody was getting ready to saw it off. But the mayor felt our timing was bad. We also made the statement that he was afraid the Klan would violently object to the meeting.

There is one thing I left out, and it was very important. We were told by Community Relations that since Mr. Hays was with the Federal Government we had to have an integrated audience. So we decided to invite 8 Negroes who had been working with the mayor in the past to this meeting. We also felt it should be a private meeting. We felt if it was public there would be trouble. We had a list of approximately 100 names of business and professional people in the community and 8 Negro leaders.

Mr. MANUEL. So there would have been a total of 108 people?

Mr. BLUMBERG. Yes.

Mr. BUCHANAN. I would like to say for the record, in further reference to Mr. Hays, that he served as president of the Southern Baptist Convention of more than 10 million members and is a very prominent Baptist layman.

The CHAIRMAN. Proceed.

Mr. MANUEL. Mr. Blumberg, in addition to the mayor of Bogalusa what other officials were present at your meeting?

Mr. BLUMBERG. The city attorney, Robert Rester; also the four commissioners, Andy Overton, Arnold Spiers, Jim Talbot, and Marshall Holloway.

Mr. MANUEL. Did any of them contribute anything to the conversation about the appearance of Mr. Hays in Bogalusa?

Mr. BLUMBERG. The only one who spoke was the mayor and the chief of police, Arnold Spiers, and they both agreed the Klan would violently object to an integrated meeting and they felt it was not the time to hold a meeting. However, we asked the administration if they would at least attend the meeting, and they agreed to do this.

Right before we left, which was a little before 3 o'clock, we asked that they keep this information quiet. No one else in the community knew about it at the time, and we wanted it kept quiet because we didn't want the whole story out at that time. We had not issued the invitations yet. That was 3 o'clock in the afternoon.

At 5 o'clock that same afternoon, Reverend Shepherd received a knock at the door; and the man at the door was a well-known character in Bogalusa—I can't recall his name—"Buddy" somebody, and he told the Reverend Shepherd that the Masons in town had just heard about Brooks Hays being invited and they didn't think it was a good idea to bring Mr. Hays to Bogalusa. Of course, I am being nice in saying it. I was told he was not that nice in relating the message.

Mr. MANUEL. To go back to the meeting with the mayor and city council, I understood you to say the mayor said the Klan would object to Mr. Hays speaking in Bogalusa. As a private citizen, was this your first encounter with the Klan as a powerful force in Bogalusa?

Mr. BLUMBERG. This was our baptism. This was the first time we had heard the word "Klan" as it dealt with fear and power, yes.

Mr. MANUEL. Subsequent to the meeting, will you tell the committee what your group's activities were in trying to obtain a place for Mr. Hays to speak?

Mr. BLUMBERG. We first wanted to hold the meeting in the Episcopal Church, Reverend Shepherd's church, but there was so much difficulty in obtaining the meeting place that his congregation asked him not to have the meeting there. And all six of us tried all over town, any place we could think of that was practical, to hold the meeting, but we were turned down everywhere. We talked to the gentleman in charge of the armory and were turned down there. We talked to the mayor to try to get the City Hall, and they refused. Finally we just had to give up finding a place to hold the meeting because there was no place to be had.

Mr. POOL. I want to clarify something for the record. I didn't get what you said about the man quoting the Masons.

Mr. BLUMBERG. He merely used the word that the "Masons" had heard Brooks Hays was coming to Bogalusa and they didn't feel Mr. Hays should come, but I am sure when he used the word "Masons" he was just pulling it out of the air.

Mr. POOL. In other words, so far as you know, the Masons were not involved in this?

Mr. BLUMBERG. No; not at all.

The CHAIRMAN. In fact, you referred to the so-called Buddy as a "well-known character," so you are not subscribing to what he was saying?

Mr. BLUMBERG. Absolutely not.

The CHAIRMAN. It might be advisable for you to speak a little about that. By "character," do you mean he was known as a segregationist or possible Klansman then or subsequently known? What did you mean by that word "character" for the record?

Mr. BLUMBERG. Number one, I understand he was quite a drunkard. He used to love to brawl all the time, and I was told he was at one time a deputy sheriff who was taken off the force. I don't know if he was a policeman or not, but let us put it this way: he was a great candidate for the Klan.

The CHAIRMAN. What do you mean by that?

Mr. BLUMBERG. He was a great candidate for Klan membership.

The CHAIRMAN. I assumed that was what you meant from the way you said it. I wanted it for the record.

Mr. BLUMBERG. Let us get it for the record.

Mr. MANUEL. Mr. Blumberg, in your attempts to secure a speaking place for Mr. Hays, what were the reasons that your group was turned down at the places that you visited, by the persons that you visited?

The CHAIRMAN. I think I have the background for that. I take it by this time, including the encounter with the minister you referred to, I assume by this time in the chronology of your discussion it was then quite well known in town that Brooks Hays had been invited or might come?

Mr. BLUMBERG. After the minister had been visited?

The CHAIRMAN. Yes.

Mr. BLUMBERG. Actually, no. It wasn't. This is what surprised us because nobody in town knew about this except the six of us.

The CHAIRMAN. We have learned, even in Congress, that three is a crowd.

Mr. BLUMBERG. We learned it back in 1964. But anyway, this was the first time we realized there was a leak in the city administration, because they were the only ones who knew about this.

Mr. MANUEL. Were any members of the city administration with whom you met that day later known to be members that day of the Ku Klux Klan?

Mr. BLUMBERG. Yes. As a result of a Federal hearing in New Orleans a few weeks ago, the city attorney was named as a member of the Klan.

Mr. MANUEL. That was Robert Rester?

Mr. BLUMBERG. Yes; and he was at that meeting.

Mr. MANUEL. Did there come a time when your group made an announcement in the paper as to the invitation issued to Mr. Brooks Hays?

Mr. BLUMBERG. Yes.

First, I think, to keep the record straight chronologically, right after Reverend Shepherd had received this visit, I had gone to St. Louis with my family for the holidays. Christmas and New Year's, and

while there I received a phone call from the radio station saying that a pamphlet had been distributed in Bogalusa by the Klan. They said in this pamphlet that Brooks Hays was coming to Bogalusa and we were going to try to integrate them.

Mr. MANUEL. Do you have a copy of that pamphlet, Mr. Blumberg?
Mr. BLUMBERG. Yes, I do.

(Document marked "Ralph Blumberg Exhibit No. 1." See p. 2454.)

Mr. MANUEL. Would you be good enough to read the pamphlet for the committee?

Mr. BLUMBERG. Yes. [Reading:]

"On Sunday, December 27, 1964," —

The CHAIRMAN. What is the date?

Mr. BLUMBERG. December 27, 1964. [Reading:]

On Sunday, December 27, 1964, the Bogalusa Daily News announced that a "renowned layman" Brooks Hayes, is to speak in Bogalusa, on January 7, 1965. His subject will be better *community relations*. The Bogalusa Daily News stated,

"a group of civic, religious and business leaders of Bogalusa have invited Hayes to speak here at the St. Matthew's Episcopal Church Parish House. Due to limited seating facilities, the meeting will be by invitation."

The Daily News did not tell you the whole true story concerning this meeting and it is the purpose of this leaflet to give you the full story concerning this meeting.

In the first place, this meeting of January 7, 1965, is to be an integrated meeting. The meeting was arranged by Bascom D. Talley, Jr., the local public or community relations commissioner who is holding this job by appointment of Lyndon B. Johnson under the infamous civil rights act. Bascom D. Talley formed a committee to help shoulder the responsibility of this meeting. This committee of integration minded people are the group of "civic, religious and business leaders" referred to by the Daily News. Mr. Talley's committee is composed of Bruce H. Shepherd, Minister of the St. Matthew's Episcopal Church, Vertrees Young, a member of the Episcopal Church, Reverend Jerry Phance, Minister of the Main Street Baptist Church, Reverend Paul G. Gillespie, Minister of the Memorial Baptist Church, Reverend James T. Harris, Minister of the Methodist Church, Reverend Bob Lambright whose similar escapades have made him a Minister without a church, Ralph Blumberg, owner and operator of the radio station WBOX, and, of course, Lou Major, Mr. Talley's favorite puppet.

In the second place, this integrated meeting is for the sole purpose of planning the integration of your Church, Schools, Businesses, Restaurants, Hotels, Motels, etc., and those who will receive invitations to the January 7th meeting will be people who Bascom D. Talley hopes that Brooks Hayes can convince that they should change their social and religious lives, and that in turn will try to convince you that you should help integration by sitting in Church with the black man, hiring more of them in your businesses, serving and eating with them in our cafes, and allowing your children to sit by filthy, runny-nosed, ragged, ugly little niggers in your public schools.

In the third place, the Bogalusa Daily News did not tell you the whole story about Brooks Hayes. He is a traitor to the South. He assisted Sherman Adams draw the order to send Federal Troops into his own State of Arkansas and put nine little niggers into white schools, the result of which was spending 5,000,000 of the taxpayers money as well as the beating and jailing of hundreds of white citizens. As a result of Hayes' integration efforts, he was defeated

his efforts for re-election to Congress by a political unknown, Dr. Dale G. Balford. Brooks Hayes is now a member of the Civil Rights Community Relations Committee and he is paid a lucrative salary by the Federal Government to make talks such as he is scheduled to make in Bogalusa, on January 7th., 1965. The Ku Klux Klan is strongly organized in Bogalusa and throughout Washington and St. Tammany Parishes. Being a secret organization, we have KLAN members in every conceivable business in this area. We will know the names of all who are invited to the Brooks Hayes meeting and we will know who did and did not attend this meeting. Accordingly, we take this means to urge all of you to refrain from attending this meeting. Those who do attend this meet-

ing will be tagged as integrationists and will be delt [sic] with accordingly by the Knights of the KU KLUX KLAN.

There is in Bogalusa a man named Talley, who with a hand picked committee has planned an integrated rally; This man would love the nigger. In order to grow financially bigger; He and his committee have come up with an integration plan, which is bitterly opposed by the KU KLUX KLAN; Talley has attended Nigger Churches to sing, this was done to please Martin Luther King; While Talley sings with his nigger group, the KU KLUX KLAN will more Knights recruit; Soon Talley and his committee will know who is boss, as the KU KLUX KLAN lights the fiery cross.

Mr. MANUEL. Mr. Blumberg, is the source of this leaflet which you have read identified on the flyer?

Mr. BLUMBERG. Yes, it is. At the top it says: "Published By The Original Ku Klux Klan Of Louisiana."

The CHAIRMAN. Let me ask you two questions:

Was this to be a meeting by invitation?

Mr. BLUMBERG. Yes; yes, this was to be a meeting by invitation.

The CHAIRMAN. Was the purpose of the meeting to force integration or to accomplish the objectives suggested in that pamphlet?

Mr. BLUMBERG. Absolutely not. Nothing could have been further from the truth.

The CHAIRMAN. Why had it been decided to make the meeting by invitation?

Mr. BLUMBERG. We decided this because we were told by Community Relations that Mr. Hays had to speak to an integrated audience since he worked for the Federal Government. And we felt if we made it an open meeting and it was to be integrated, there probably would be a great deal of trouble; and we felt if we made it private, we could keep the possibility of trouble down. Also, we were very, very anxious to see to it that the power structure in the community attended the meeting, and that is why we were going to make it private by invitation. However, we never did have the opportunity to issue the invitations.

The CHAIRMAN. As it turned out, based on subsequent events, did you come to the conclusion that Mayor Cutrer, in expressing himself as he did at the meeting you had with his council, was expressing a factual opinion rather than personal involvement in approbation of what might have developed?

Mr. BLUMBERG. Mr. Willis, this is a difficult question to answer. Perhaps I should say this, in all fairness to Mayor Cutrer.

The CHAIRMAN. I want the record straight on that.

Mr. BLUMBERG. I think the mayor has tried to do his very level best as mayor of a deep South community. Here is a man who grew up in Bogalusa, and many, many members of the Ku Klux Klan were friends of his, and I am sure this man felt a moral obligation, as the mayor. But I don't think I am qualified, or anyone else is qualified, to criticize a man in his position. I don't know all of his problems, and whatever his decisions have been, whatever his actions have been, I am sure they were made in sincerity and honesty.

The CHAIRMAN. I am glad to hear you say that because subsequent events as a factual matter proved trouble did arise.

Mr. BLUMBERG. That is true.

The CHAIRMAN. I have never met the man and don't want to charge him for making a factual statement at that time.

Mr. WELTNER. Mr. Chairman, may I ask a question?

The CHAIRMAN. Yes.

Mr. WELTNER. You stated Robert Rester was city attorney and in attendance at the meeting and subsequently was disclosed as being a member of the Klan through Federal court proceedings. Do you know if he was elected by the people or appointed by the mayor?

Mr. BLUMBERG. He was elected by the people.

Mr. WELTNER. Thank you.

Mr. POOL. Let me see that pamphlet. Were there any direct threats to anyone attending the meeting?

Mr. BLUMBERG. Yes.

Mr. POOL. Read what it says about that.

Mr. BLUMBERG. [Reading:]

We will know the names of all who are invited to the Brooks Hayes meeting and we will know who did and did not attend this meeting. Accordingly, we take this means to urge all of you to refrain from attending this meeting. Those who do attend this meeting will be tagged as integrationists and will be delt [sic] with accordingly by the Knights of the KU KLUX KLAN.

Mr. POOL. The words "dealt with accordingly" is that a threat?

Mr. BLUMBERG. I would say it is a threat; yes, sir. I think it is about as definite a threat as you can make.

The CHAIRMAN. I think the word "intimidation" would certainly apply.

Mr. POOL. Is the word "intimidation" in there?

The CHAIRMAN. No. I think you asked if the words "dealt with accordingly" could be construed as a threat. I think if you wanted to use a word which, in my opinion, could not be questioned, it would be an "intimidation" if not a "threat."

Mr. POOL. To be fair, you could say they would be dealt with accordingly in the next election, which would be all right.

Mr. BLUMBERG. That is true.

Mr. POOL. We are looking for acts of violence and threats. There is a question in my mind whether you can call this a direct threat or not.

Mr. WELTNER. May I ask a question at this point, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. WELTNER. Would you read that part of the pamphlet that says being members of a secret organization we have members in every conceivable place, or words to that effect?

Mr. BLUMBERG. Yes. [Reading:]

"Being a secret organization, we have KLAN members in every conceivable business in this area."

Mr. WELTNER. On the basis of the disclosures that have been made subsequent to the distribution of this pamphlet, would you describe that as an accurate statement?

Mr. BLUMBERG. I will be honest with you. I think it is a very honest statement; yes.

Mr. WELTNER. That is my opinion too.

Mr. BLUMBERG. And I have never changed my opinion.

Mr. WELTNER. The Klan in Bogalusa did have Klan members, maybe not in every conceivable position, but in many positions of importance, and I think that point should be developed.

Mr. POOL. Are you going to tie the Klan into threats later on in your testimony?

Mr. BLUMBERG. Yes.

Mr. BUCHANAN. Mr. Chairman, may I say, by way of being "dealt with accordingly," as I understand it, there were very few elected officers there, weren't there? Weren't most of them church and business and professional people? I don't know how they could deal "accordingly" with ministers or editors on election day. And what about business and professional men being "dealt with" on election day?

Mr. POOL. I was thinking of the political leaders.

Mr. BUCHANAN. These were primarily other than elected officials.

Mr. POOL. I am not defending it. I am saying, in my opinion, it is not a definite threat.

Mr. BUCHANAN. I am joining you in clarifying the record.

Mr. WELTNER. That sounds like the man who said he didn't know if it was a threat or not but they had authority to do away with him.

The CHAIRMAN. All right. Proceed.

Mr. MANUEL. Following the distribution of the pamphlet you have just read and following the fact you could not provide adequate speaking facilities to Mr. Hays, did your group cancel the engagement with Mr. Hays?

Mr. BLUMBERG. We met at the newspaper office the first week in January, I don't know the exact date, and we discussed this. In saying "we," I am talking about the six in our group and the two men from Community Relations. We talked from 8 o'clock in the evening until 12 o'clock that night trying to make a decision on what to do. We decided to cancel the meeting but to put a statement in the paper explaining why we canceled it. We came back at 8 o'clock the next morning and we all helped to draft the statement, and that afternoon we published the statement in the paper.

Mr. MANUEL. In general terms, what did the statement say?

Mr. BLUMBERG. I am a little hazy on the statement. However, as I remember it, we told the public we had to cancel the Brooks Hays meeting because everybody had feared the Klan in the community and we couldn't find a place to hold the meeting, and we felt there was no freedom of assembly in Bogalusa and we were ashamed of this fact that we couldn't hold a public meeting because of fear. This, in essence, was the general theme of the statement.

Mr. MANUEL. Subsequent to the appearance of this statement in the *Bogalusa Daily News*, were you personally or your family the objects or victims of any harassment?

The CHAIRMAN. Before coming to that, let me develop a thought or two here.

I have before me a copy of the opinion of the circuit court of appeals decided recently in connection with an injunction suit filed by the United States of America against the following—and I will name them and I want you to make a mental note if one of these defendants in this suit comes to your mind as being the man called Buddy

who appeared at the minister's home. I don't know if it is a fact. I see Mr. Appell shaking his head so maybe he knows the answer. Do you know the answer, whether this man "Buddy" was one of the defendants?

Mr. APPELL. He was not a defendant.

The CHAIRMAN. I am now advised that this man "Buddy" you referred to was not a defendant. But this suit was an injunction suit filed by the United States against the Original Knights of the Ku Klux Klan, an unincorporated association; the Anti-Communist Christian Association, which we will talk about later; and then quite a long list of individuals.¹

Referring to your testimony thus far concerning the proposed speech to be made by former Congressman Brooks Hays, the court, having heard the evidence in the whole in that case, said the following:

"Specific Findings"—this is a subheading—"Specific Findings of Klan Intimidation and Violence":

We select the following examples of the defendants' acts of intimidation and violence.

(1) January 7, 1965, former Congressman Brooks Hays of Arkansas, at the invitation of religious, business, and civic leaders of Bogalusa, was scheduled to speak in Bogalusa at St. Matthews Episcopal Church Parish House on the subject of community relations. The meeting was to be open to both Negroes and whites and it was planned that seating would be on a racially non-segregated basis. After learning of the proposed appearance of Mr. Hays and the arrangements for an unsegregated meeting, the Klan and its members protested to the Mayor and the members of the Commission Council and, by means of threats of civil disorder and economic retaliation against local businessmen who supported the meeting, caused the withdrawal of the invitation to Mr. Hays to speak. December 18, 1964, before the Hays invitation was withdrawn, the Mayor of Bogalusa and Police Commissioner Arnold Spiers, in an effort to head off possible civil disorder, appeared at a Klan meeting at the Disabled Veterans Hall. The show of force at this meeting by over 150 hooded Klansmen—

and [to Mr. Pool] I quote now for your information—

unquestionably intimidated public officials in Bogalusa and, later, hindered effective police action against Klan violence. On the stand, Mayor Cutrer admitted that he was "frightened when he looked into 150 pairs of eyes." [Emphasis in original.]

So at that point in your chronology, I think it is valuable for the record to have the findings of the Fifth Circuit Court of Appeals.

(Document marked "Ralph Blumberg Exhibit No. 2." (See p. 2475-2519.)

Mr. POOL. It does not have too much importance to the question of the pamphlet he was raising.

The CHAIRMAN. I don't know.

Mr. POOL. The "150 pairs of eyes" were the most important.

The CHAIRMAN. That is right.

Mr. POOL. That is what I was pointing out a while ago.

¹ *United States of America, by Nicholas deB. Katzenbach, Attorney General of the United States v. Original Knights of the Ku Klux Klan, an unincorporated association; Anti-Communist Christian Association, a corporation; Saxon Farmer; Charles Christmas; Russell Magee; Dewey Smith; Virgil Corkern; Albert Applewhite; E. J. (Jack) Dixon; Louis Williams; James M. Ellis; Hardie Adrian Goings, Jr.; Esley Freeman; Arthur Ray Applewhite; James A. Hollingsworth, Jr.; Randle O. Pounds; Sidney August Warner; Billy Alford; Rawlin Williamson; Louis Applewhite; Willis Blackwell; J. A. Hollingsworth, Sr.; Lattimore McNeece; Ira Dunaway; Doyle Tynes; Charles Ray Williams; Frank Harris; Charles McOlenon; Delton Graves; Milton Earl Parker; Mervin Taylor; Van Ray; Ray Risner; James D. Terrell; J. D. Jones; Richard E. Krebs; Michael E. Holden; Mes Burke; Albert Simmons, Jr.; and Noel Ball, Jr., — U.S. District Court for the Eastern District of Louisiana, New Orleans Division, Civil Action No. 15793; 250 F. Supp. 9, decided Dec. 1, 1965.*

The CHAIRMAN. Proceed.

Mr. MANUEL. Mr. Blumberg, would you please tell the committee what actions of harassment or intimidation were directed against you and in what form, sir?

Mr. BLUMBERG. After we put the statement in the paper—we signed our names, all six of us, to the statement, and then the following day we broadcast our first editorial since we had been in Bogalusa about the civil rights problem.

Mr. MANUEL. This is over your radio station WBOX?

Mr. BLUMBERG. WBOX; yes, sir.

Mr. MANUEL. Proceed.

Mr. BLUMBERG. And we merely explained why we participated in the Brooks Hays affair, for the reasons I have given you before. And also we told the people that the civil rights law was now the law of the land and, regardless of how you felt about it, it must be complied with or the community was going to be in trouble. And this, in essence, was exactly what we had stated editorially.

Of course, this editorial and the statement in the paper was like setting off a time bomb. We received threatening telephone calls at the station and at home, and the essence of the calls—not only myself, but the other five men involved. And the pattern was pretty much the same:

“When you signed this statement you have signed your death warrant.” And some of the calls stated that “we are going to kill your wife and your children” or “we are going to take care of your wife and your children.” This type of thing.

Mr. POOL. To whom were these calls made?

Mr. BLUMBERG. They were made to myself, my wife answered some, some of the announcers at the station answered some, and they were also made to the other five members.

Mr. POOL. Did you recognize any of the voices?

Mr. BLUMBERG. No, sir. They were completely anonymous.

Mr. POOL. Completely anonymous, and you couldn't pinpoint them?

Mr. BLUMBERG. Yes.

Mr. POOL. Did you report it to the police department?

Mr. BLUMBERG. No, sir, I didn't.

Mr. POOL. Why didn't you?

Mr. BLUMBERG. Frankly, I didn't think about it. As I look back on it, I should have as a matter of record, but I didn't and I don't think any of the other men did.

Mr. POOL. Was it your feeling the police department wouldn't do anything about it?

Mr. BLUMBERG. Frankly, I don't see what anybody could do about it, being anonymous phone calls.

Mr. POOL. How about the FBI?

Mr. BLUMBERG. No.

Mr. POOL. You didn't report it to them either?

Mr. BLUMBERG. No.

Then around this time, I guess a few days later, a man walked into the station that we knew fairly well, and I wasn't there. He talked to my wife. He sat down in front of her and he made a statement that friends of his were very surprised I signed the statement in the paper and they felt that I had been hoodwinked into getting involved, and

they felt I should publicly apologize for signing the statement and I should explain that all of this was, in essence, a bunch of lies and that I really didn't intend to have anything to do with it.

And my wife told him that I wasn't going to apologize for anything; I knew exactly what I had done.

And he shrugged his shoulders and he made this statement, he said: "Well, these friends of mine don't want to harm women and children." He shrugged his shoulders and walked away.

Mr. MANUEL. Did he identify the friends of his of whom he was speaking?

Mr. BLUMBERG. No. That is merely what it was. And then after that I sent my wife and family to St. Louis to stay for a while.

Mr. MANUEL. As far as the phone-call harassment is concerned, did it take any particular pattern?

Mr. BLUMBERG. Well, the most annoying thing was the fact we received phone calls perhaps every 2 hours all throughout the evening, all night long. Nobody would say anything. Pick up the receiver and there would be nothing on the other end.

Mr. MANUEL. How long did this last, Mr. Blumberg?

Mr. BLUMBERG. It is kind of hard to say. I imagine, if I could pinpoint it, perhaps about 3 weeks.

Mr. POOL. Did you ever ask the telephone company to give you an unlisted number? Or don't they do that now?

Mr. BLUMBERG. No. Actually, what I did, after a while I just took it off the hook and left it off.

Mr. MANUEL. Were there any other acts of intimidation and harassment directed toward you, such as tacks in your tires, and so forth?

Mr. BLUMBERG. Yes. I had the car windows of my automobile smashed, my wife's smashed, and we had tacks put in the driveway and ruined, you know, a set of tires, and that is about it.

Mr. POOL. You didn't report this to the police department?

Mr. BLUMBERG. We reported this.

Mr. POOL. You did report it?

Mr. BLUMBERG. Yes, sir.

Mr. MANUEL. Was there any trouble at your transmitting tower in Bogalusa?

Mr. BLUMBERG. Yes. After we made our plight public nationally and editorialized, we decided to fight the Klan. Right after our first editorial, which was on a Thursday, some time in March, that evening we received seven bullet holes in our transmitter house fired by a high-powered rifle.

Mr. WELTNER. May I interrupt as a matter of chronology?

This meeting with Mr. Hays was supposed to have been on January 7?

Mr. BLUMBERG. That is right.

Mr. WELTNER. And at the time there was a statement in the paper which bore your name and the editorial, and the general acts of harassment continued all through the month of March?

Mr. BLUMBERG. Yes.

Mr. WELTNER. There were no other statements and editorials, but—

Mr. BLUMBERG. We skipped. I haven't told the rest of it yet.

Right after the January 7 editorial, the most effective weapon the Klan, of course, used against me was the boycott. They would call our sponsors by telephone and tell them if they didn't stop advertising on the station that they would boycott their place of business. And they received numerous phone calls and finally the advertisers had to go off the station and they pretty well reduced our income.

And then—and I think this should be told for the record because I made a big mistake—right after we lost most of our sponsors, around the middle of January, I didn't say another word—no editorializing, no nothing. I simply tried to get our sponsors back on the radio station. To be honest about it, I think I was actually appeasing the Klan. And then around March, the 1st of March, we had most of the sponsors back on, and they started the phone call routine again. It was very organized this time, and they reduced us down from approximately 75 sponsors a month to around 6. This is when I knew I had made a mistake, because you just can't compromise with the devil, and that is what I was trying to do. And I think this is important that this be told for the record, because there is no compromise with this sort of evil.

And they had reduced our sponsorship to about 6. We had to make up our mind at this time what to do. I am sure the Klan felt we would close our doors and walk away quietly and do nothing, but we decided to make a fight, for two reasons:

One, if we could keep our doors open long enough with outside help, perhaps the merchants would come back and advertise again.

And, number two, which is real important, the longer we could keep our doors open, we felt the better it was going to be for small radio stations and small communication media in small markets, especially in the South. Because, if the Klan could close our doors easily, this would be a tremendous display of strength. And the longer we could keep our doors open, I felt the more frustrated and more confused we would get these people and perhaps they would think twice before hitting a communications media again.

This actually has been our purpose in this fight, and our fight basically has been for freedom of speech. It's that simple. It has nothing to do with integration or segregation, regardless of what the Klan wants to make out. It is strictly a matter of freedom of speech. And this, gentlemen, has been exactly what the fight has been about, as far as I am concerned, with the Klan.

Mr. MANUEL. Mr. Blumberg, what reason do you have to believe that this boycott of which you speak was initiated and carried through by the Ku Klux Klan?

Mr. BLUMBERG. I didn't know at the beginning, and even in our editorials we never mentioned the name of the Klan until they came out with one of their own publications and publicly stated that they were behind the boycott.

Mr. MANUEL. Do you have a copy of that particular publication?

Mr. BLUMBERG. Yes.

Mr. MANUEL. Was it likewise, as the other publications which you read, distributed by the Original Ku Klux Klan of Louisiana?

Mr. BLUMBERG. Yes, sir.

Mr. MANUEL. Would you please read that, Mr. Blumberg, for the committee?

Mr. BLUMBERG. The entire article?

Mr. MANUEL. Would you, please? Yes, sir.

The CHAIRMAN. What is the date of it, so we will know?

Mr. BLUMBERG. I don't have a date.

Mr. APPELL. It is not dated.

The CHAIRMAN. It is not dated. Could you fix about the day so that we could put in the record a chronological understanding?

Mr. BLUMBERG. It must have been around March or April, I guess.

The CHAIRMAN. 1965?

Mr. MANUEL. The early part of 1965, Mr. Chairman.

Mr. BLUMBERG. [Reading:]

As a result of the statement issued in the Bogalusa Daily News, signed by Bascom D. Talley, Jr., Bruce Shepherd, Paul Gillespie, Jerry Chance, Ralph Blumberg and Lou Major announcing the cancellation of the invitational, integrated, speaking engagement in this city by Brooks Hays, our City, as well as the Klan, received unfair, biased, national publicity from television and newspapers throughout the country. The national news media quoted Bascom Talley as saying that Bogalusa has a "leadership vacuum". They quoted Bruce Shepherd as saying "Bogalusa has a high rate of alcoholism and mental illness". The national press even misquoted Brooks Hays who was supposed to have said "Bogalusa is a city in the grips of the Ku Klux Klan." Even one magazine contained an article entitled "Klan Town U.S.A." which accused Bogalusa of being dominated by the Ku Klux Klan. This article was written by a free lance, alcoholic reporter—Paul Good, who spent over \$100.00 on alcoholic beverages, who wrecked his car, and who was charged with reckless driving during his short visit to Bogalusa.

Bruce Shepherd was quoted as saying that he had received calls threatening to bomb his church if Brooks Hays were allowed to speak there. We accuse Bruce Shepherd of lying. There was no such threat or threats made and we challenge Bruce Shepherd to prove that he made such a report to the police.

Mr. MANUEL. At that point let me interrupt you for a moment and ask, did you know whether as a matter of fact Reverend Shepherd had received threats to bomb his church?

Mr. BLUMBERG. I don't know. I really don't know.

Mr. MANUEL. All right.

Mr. BLUMBERG. [Reading:]

Bruce Shepherd must have had his family in mind rather than our city when he stated we had a high rate of alcoholism and mental illness because Bruce Shepherd himself can be observed frequently emerging from the Cuban Liquor Company with an arm load of liquor. We further would have you know that Bruce Shepherd's son recently faced a charge in court for morals violation and was committed to a mental institution.

The Ku Klux Klan is now in the process of checking on Reverend Shepherd's moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violations of his in the past.

Much has been printed about the Ku Klux Klan being a violent organization. This is not true. There was no violence when public accommodations were tested in this city and there has been no violence since then. We, however, have formed a large block white vote which will more than offset any other block vote in this entire parish. We also are boycotting businesses which cater to integration such as Mobile Gas Stations, Radio Station W.B.O.X., Rosenblum's, Festo and the Barbecue Inn.

Mr. MANUEL. At that point Mr. Blumberg, let me ask you if you know why the Klan would boycott the Mobile gas stations in Bogalusa?

Mr. BLUMBERG. I am a little hazy on this one. I feel it is probably because, if I am not mistaken, I think this was operated by some Negro

attendants and they catered greatly to Negro trade, and I was told that Mr. Talley owned the land on which this station was located.

Mr. MANUEL. Do you know whether the boycott was successful as far as the Mobile gas stations were concerned?

Mr. BLUMBERG. They have almost ruined the people financially.

Mr. MANUEL. What about the other business establishments mentioned—Rosenblum's, Zesto, and the Barbecue Inn?

Mr. Blumberg. I don't know anything about their boycotts, nor the reasons.

Mr. MANUEL. Please proceed, sir.

Mr. BLUMBERG. Where did I leave off?

Mr. MANUEL. Right after "Barbecue Inn."

Mr. BLUMBERG. [Reading:]

The Bogalusa Daily News is also being boycotted by the Klan because while the National press was tearing Bogalusa into shreds, it did not print one single word in the defense of Bogalusa. The theory behind boycotting the Daily News and these other businesses is that to financially aid such business institutions is comparable to buying bullets for a man as John Dillenger who would take the bullets and then kill you and rob your city.

Congressman Charles Weltner of Atlanta, Georgia, a member of the House Committee of Unamerican Activities has proposed that committee investigate the Klan. We wonder why he doesn't also propose to investigate the Black Muslims who advocate black supremacy, who commit murder and who commit arson all over the country in a period of one week and who defied and refused to allow Chicago Police to enter their meeting place while they were beating almost to the point of death one of Malcolm X's friends. We urge each of you to write this Congressman and demand that he investigate the Black Muslims.

The original Ku Klux Klan invites any investigation that Congressman Weltner should like to make. The citizens of Bogalusa know that this city has always been a Klanish City from the days of the Great Southern Lumber Company until now. We have never appreciated outsiders telling us how to run our city. Outsiders have often caused trouble in our City. A good example of this was when labor unions were forming in Bogalusa. A gang of union busters or hired gunmen were brought into this city to kill those who stood up for the common man. As a result of such incidents, it is only natural that Bogalusa would be Klanish.

The CHAIRMAN. Have you finished?

Mr. BLUMBERG. Yes, sir.

(Document marked "Ralph Blumberg Exhibit No. 3." See p. 2455.)

The CHAIRMAN. I would like to point this out, in view of the reference to the committee:

This committee, on March 30, 1965, voted unanimously to conduct the investigation we are now conducting. It voted also to request the House to furnish funds to do so, and the House by an overwhelming vote did it. Now the last "resolve" of that resolution which authorizes this particular investigation reads as follows:

BE IT FURTHER RESOLVED, that the Chairman is directed—
meaning myself—

to continue the preliminary inquiry into the activities of the Black Muslims, the Minutemen and the American Nazi Party previously authorized by the Committee, for the purpose of determining whether an investigation of these groups is called for.

With reference to that "resolve," I have said many times that we cannot be in two places at one time or do two things at one time. And I added, always, that sufficient unto the day is the evil thereof.

This preliminary inquiry is still going on with reference to these other organizations, and that is the way it stands at this time.

I think the record should also reflect my personal views anyway, and that is all I have to say.

Here we are hearing evidence of threats, intimidation, and boycotts. That at least during the period of our history thus far has not been a pretty word—"boycotts." We want the evidence that you are presenting. It is important. But I must, in all honesty to myself, say that a boycott, wherever it comes from, is no good.

Mr. MANUEL. Mr. Blumberg, during the period of this boycott which you have described against your radio station, did you subsequently regain any sponsors?

Mr. BLUMBERG. We did. We had a few, and then would lose them again, until it got to the point where, frankly, I think we had one local sponsor left and perhaps two or three national sponsors. People were too frightened. I can't blame the merchants. The only way they could have broken the back of the boycott was to stand up together. Of course, this has been the problem from the beginning in Bogalusa: For some reason good people——

The CHAIRMAN. I meant to add that perhaps another mistake your group made was not to pursue that meeting, and perhaps the engaging in boycotts would have been prevented. I wanted to complete my statement. You may comment.

Mr. BLUMBERG. Right.

The CHAIRMAN. In other words, I agree with you when you said you should have kept on.

Mr. BLUMBERG. Right.

The CHAIRMAN. And perhaps better results would have been achieved if the committee had not yielded in the first place.

Mr. BLUMBERG. This is quite true, but for some reason——

The CHAIRMAN. I am not reproachful.

Mr. BLUMBERG. No. I was just continuing.

For some reason we have never been able to get the power structure in the community, Bogalusa, to stand up together and do away with all of this nonsense. I think it is the answer to peacefully resolving the civil rights problem not only in Bogalusa, but in any community, because the people of Bogalusa are no different than the people in any small community in the country, North, South, East, or West. I would say 90 to 95 percent of the people are good people, but, if the people would only quit underrating themselves and stand up, they would be amazed how much power they have if they stand together. I think it is the key to this kind of a problem and somehow, somewhere along the line, the answer to getting people to become involved is going to be found. But until it is, there is going to be a great deal of difficulty not only in Bogalusa, but anywhere else, because Bogalusa is not unique, it is like any community anywhere in this country. And this goes for the State of Louisiana, too.

Mr. POOL. Mr. Chairman?

The CHAIRMAN. Mr. Pool.

Mr. POOL. How do you account for the fact that Bogalusa didn't stand up, where most communities in the South have handled their racial situation in a whole lot better manner than they did in Bogalusa?

Mr. BLUMBERG. I think possibly it was because, for some reason, the Klan was allowed to infiltrate the community in the powerful places too quickly and before it was discovered it was too late. I think this is the basic reason. Why this happened, of course, is anyone's guess.

Mr. WELTNER. Who was running the affairs of that town, Mr. Blumberg, in the first part of the year 1965? Was it the civic and religious leaders or the Ku Klux Klan?

Mr. BLUMBERG. The first part of 1965?

Mr. WELTNER. From the time you invited Brooks Hays until March or June, who was running the town at that time? Who was exercising the decision power? Whose decisions were being carried out?

Mr. BLUMBERG. I am sure it was supposed to be Mayor Cutrer and the commission council. I really don't know how much they were influenced. Let's put it that way.

Mr. POOL. Were the decisions being made at Ku Klux Klan headquarters for the city?

Mr. BLUMBERG. I really—I mean, all I can offer you is a personal opinion.

Mr. POOL. That is what I asked.

Mr. BLUMBERG. If you want my personal opinion, I don't think any decision was made unless a great deal of thought was put into how this would affect the Klan leadership, what they would think about it.

Mr. POOL. They weren't actually calling the shots, but they were more or less in a veto position; they could veto?

Mr. BLUMBERG. They were an influencing factor then, and I think they are an influencing factor right now when I am sitting here talking to you. I have never changed my mind about that.

The CHAIRMAN. I think it would be appropriate at this point—I want in the record at some point—for me to refer to the findings and holdings of the Fifth Circuit Court of Appeals in the case I read from a while ago, particularly with reference to one of the defendants, the Anti-Communist Christian Association. The court, with reference to that outfit and the Klan, said this:

We find that to attain its ends, the klan exploits the forces of hate, prejudice, and ignorance. We find that the klan relies on systematic economic coercion, varieties of intimidation, and physical violence in attempting to frustrate the national policy expressed in civil rights legislation. We find that the klansmen, whether cloaked and hooded as members of the Original Knights of the Ku Klux Klan, or skulking in anonymity as members of a sham organization, "The Anti-Communist Christian Association", or brazenly resorting to violence on the open streets of Bogalusa, are [and quoting] a "fearful conspiracy against society * * *."

The evidence clearly establishes that the Anti-Communist Christian Association is not a bona fide, independent organization but is the defendant klan thinly disguised under a respectable title. At an earlier time, the klan's dummy organization was called the Bogalusa Gun and—Rifle Club. The defendants' efforts to appear respectable by association may also be reflected in the location of the klan's principal office in the Disabled American Veterans Hall.

That is the end of the quotation.

That is why I stated yesterday that in all of the long history of the phony front groups that the Klan has used to appear respectable, they are just as false as a 2-foot yardstick, and I am glad to have a court.

the circuit court of appeals, agree with the views of this committee and with the evidence we have been presenting along the same lines. Proceed.

Mr. MANUEL. Mr. Blumberg, the fact is that you decided to leave Bogalusa and sell your WBOX, Bogalusa. Will you please tell the committee when you made this decision and why?

Mr. BLUMBERG. Well, we decided to sell the station around November. We made the decision because, number one, we had been receiving outside help from individuals and some broadcasting stations from around the country, and we were running out of money, and we realized the merchants weren't going to come back with the station for a long time, if ever. We also felt we were making the decision to sell; the Klan was not making it for us. We could possibly have kept going, but we decided that we had proved our point as much as we possibly could. My family was in St. Louis, my wife and two children living there, and myself in Bogalusa for 4 or 5 months, which is no way to live. I don't think we could have ever lived in Bogalusa in peace again. So we had no choice, really, we had to sell. But we didn't close our doors; they didn't drive us out of business like they wanted to do. So its kind of a pathetic thing to say, really, but in a way we had our share of victory. But, unfortunately, the Klan has won their battle in Bogalusa. They control, they influence greatly now all of the press, the news media. But I am hoping that perhaps they will think a little harder before they ever hit a communications media again. If they control the press, half of their battle has been won.

Mr. MANUEL. At the time you decided to sell, did you know that the Klan would never let up its boycott and pressure on your former sponsors?

Mr. BLUMBERG. Yes. As a matter of fact, we had a sponsor, the first one in 9 months, that came back with us a few months ago. He was an automobile dealer who changed his location to a new place and he wanted to try the station once again. He felt everything was all right. He was on the station for 3 days. The morning of the fourth day he called me and said that he had received a flood of phone calls all day long at his business and even at nighttime at his home, and he felt he just had to go back off, and I agreed. So nothing has changed.

Mr. MANUEL. Can you fix the approximate date of that incident?

Mr. BLUMBERG. I think that was probably late October, early November.

Mr. MANUEL. And that was almost a year after the invitation to Brooks Hays which you have described to the committee?

Mr. BLUMBERG. That is correct.

Mr. MANUEL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. We appreciate your appearance. I think you have made a contribution to the hearings. I don't know whether you would be prepared to answer a question which I would like to propound. Maybe you would like to think about it and reappear. It is this:

This committee will be called upon to make a report to the House and to recommend remedial legislation as a result of the hearings and

based upon the hearing record after it is completed. I can conceive of a number of possibilities, of a number of possible approaches. I do not know what they will be specifically, any more than a judge knows what he will decide until he has heard the whole evidence.

Certainly, a possible approach to remedial legislation would be an amendment to the Internal Security Act of 1950, of which I was not the author, but wrote the report and helped manage it on the floor of the House. That law requires the Communist Party and, under certain circumstances, its officers and members to register—in simple terms—under sanctions or punishments or penalties for not doing so.

After many years of litigation—I think 11 years to be specific—the Supreme Court, in 1961 I think it was, upheld that law as a constitutional piece of legislation. But then, subsequently, when it came to implement it according to its terms, that is, the forced registration, we have met frustration. I am not in the least reproaching anyone in that connection. It's not my business to point the finger at anyone or to criticize another branch of the Government, but it is a fact we have had trouble in implementing it.

Now, a possible approach would be to amend that act and to include Klan organizations and members, possibly, to register.

Another approach would be based upon our experience over the years. When the Klans were at their peak specifically within my generation, in 1915 and the early twenties, all the Southern States, including my own, with the legislatures as then composed, saw fit to enact laws curbing certain activities of the Klans that then operated, including, for instance, in some States, making it unlawful for Klans to appear in hooded robes—and you mentioned that a while ago—on public property and prohibiting appearance in hooded robes on private property without the consent of the owner. And so on. Perhaps that could be a beginning. Perhaps a Federal law could be fashioned and the law modified to fit the Nation.

Thirdly, another approach—and these are possibilities only—would be a Federal statute to make it unlawful, to use short terms, for groups of people to engage in types of activities described in that circuit court of appeals decision and thereby deprive other people of the enjoyment of their rights under the Constitution.

So those would be three possibilities that now occur to me and that I have been thinking about.

Based upon your experience, I was going to ask you now, or later if you prefer, while you are on the stand whether you have any suggestions as possible remedial legislation that we might recommend. It is a tough one, it is not an easy one. We will wrestle with it and we will come out with something. I am wondering if you are prepared to make any suggestions.

Mr. BLUMBERG. Actually, Congressman Willis, I really don't have any suggestions for legislation as such. As I have stated before, you know when you go through something like this, like one of the FBI agents told me down there, all of a sudden you become a great sociology expert. But the one thing that keeps coming back to my mind time and time again is the same answer, and this goes beyond the Klan and civil rights movement: We are talking about human beings, about people. For some reason today good people, people who

know better, educated people, don't want to become involved in anything that has to do with trouble. And I think it is getting to the point where this type of person is going to have to become involved, because I think that our basic principles are at stake now in a lot of ways. This Klan thing and the civil rights movement are just one part of it. And I don't care how much legislation we enact, you still come back to the human beings. People have got to realize that they must become involved in these things, regardless of how much trouble is involved, if it affects their freedoms. We are either going to prove to the world that we are a democratic country or we are not, that we are a freedom-loving people or we are not, and there is no in between. You can't compromise with this thing, you can't rationalize; you either stand for it or you don't, you are going to fight for it or you are not.

This applies not only to the battlefield in Vietnam, for example, this applies on the home front, too. As I said before, this is only one little part of it we are talking about today, but to me this is the answer, and legislation, of course, is the way to open the door to make it easier, but it still is coming right back to the same old answer all over again—people themselves, individuals.

The CHAIRMAN. Of course, I agree with you. But if we believe in another precept of our governmental structure, to the effect that we are a government of law and not of men, then we must think about rules, with sanctions attached to them.

Anyway, I am glad to have your views, and I completely agree with you that this involves personal involvement of people. People have to speak out. It becomes a little tough now and then.

I made a lot of speeches in my district and all over the State of Louisiana in the last few weeks, and I said about what you have said. But I did add this, and I think it was well received and I think it is true: A person has to be proud of country and heritage, where he comes from and what he stands for. I said that I am an American citizen who comes from the South and I am proud of it. But I, for the life of me, cannot convince myself that believing in or joining a hate group, whether on the right or the left, would make me either a better American or a better Southerner. So I am willing to involve myself and I do hope that, as a result of the hearings, you and I will have more company.

I have a note from my general counsel that the Fifth Circuit Court of Appeals case to which I referred—let me say in my own words, this is a landmark decision with reference to these specific hearings, and it was written by Judge Wisdom of New Orleans, and I think it ought to be made a part of the record. At the conclusion of today's hearing record, I would like for it to be made a part of this record. (See pp. 2475-2519.) It is United States of America against the Original Knights of the Ku Klux Klan and it came out of the Eastern District of Louisiana, a three-judge court composed of Judge John Wisdom of the Fifth Circuit Court of Appeals and District Judges Herbert Christenberry of New Orleans and District Judge Robert Ainsworth of New Orleans.

The decision was written by Judge Wisdom who is a Fifth Circuit Court of Appeals Judge.

Mr. POOL. I have no questions. I thank the witness for appearing and giving us the benefit of his appearance. I think it was very helpful to the committee, especially in view of the fact that you have been in the radio and television news media which makes you a more qualified witness than some others and I appreciate it.

Mr. WELTNER. Mr. Chairman, I have some questions.

Mr. Blumberg, I think you sent your wife and children to St. Louis shortly after the series of harassing telephone calls and they remained there until the sale of the station?

Mr. BLUMBERG. They had come back after about 30 days. They stayed in Bogalusa with me until we had received a report from some friends of ours in Bogalusa which we have never been able to prove.

To make a long story short, the word "kidnaping" was used in relation to getting even with me, and I discussed this with the FBI. They said, "Get the family back to St. Louis," and we did.

Mr. WELTNER. Did you do that because you feared for their life and safety?

Mr. BLUMBERG. Yes.

Mr. WELTNER. You feared for their safety in the hands of the Ku Klux Klan?

Mr. BLUMBERG. I don't know who it would be, but it probably would have been the Klan.

Mr. WELTNER. Well, you know who it was; let's put it that way.

Mr. BLUMBERG. Yes.

Mr. WELTNER. I have been very much impressed with your conviction, very forcibly and eloquently stated, that it is time for people to become involved and, in effect, stand up for what they profess to believe.

I wonder what public officials stood up during this time of crisis in the city of Bogalusa? You gave editorials on the radio station. Mr. Major stood up through his newspaper. Several ministers stood up in their action. What did public officials do in that city in an effort to protect law and order?

Mr. BLUMBERG. Actually the mayor came out with a statement saying there would be law and order.

Mr. Weltner, it is difficult to say exactly what they did under the circumstances. All I can do is boil it down to one statement: I think these men did as well as they could possibly do. Whether they were right or whether they were wrong, I think is immaterial.

The fact that these were men who grew up in this community, had to face this problem unexpectedly—I just don't have the right to, you know, to personally criticize these men. I honestly believe that they did the best they could do. It is that simple.

Mr. WELTNER. The problem they had to face unexpectedly was the wholesale infiltration of the Klan into the fabric of the community.

Mr. BLUMBERG. In the civil rights problem; yes.

Mr. WELTNER. What effect, Mr. Blumberg, would you say that the anonymity or the secrecy or hidden identity of members of the Klan had in the apparent ability of the Klan to work its will upon this community?

Mr. BLUMBERG. Like spreading a blanket of fear over the entire community, and this is the great effective weapon of the Klan.

Mr. WELTNER. Secrecy?

Mr. BLUMBERG. Secrecy.

Mr. WELTNER. Well, now, that is interesting. I would like to read to you from a document that has previously been placed into the record of these hearings, "The Seven Symbols of The Klan" (Allen Bayne Exhibit No. 3);¹ all of this is under the aegis of the United Klans of America. The statement, I think, holds true that says, "The secret of our power lies in the secrecy of our membership."

That is a statement emanating from a Klan publication. Do you agree with that statement, that the secrecy of the Klan's power is the secrecy of its membership?

Mr. BLUMBERG. Right.

Mr. WELTNER. In view of your experience, I would also like to read to you certain portions of another document published by the United Klans of America called The Principle of the United Klans of America, Knights of the Ku Klux Klan (Allen Bayne Exhibit No. 1).² I am taking certain excerpts from this. I will ask your opinion on this.

This says:

We believe in just laws and liberty.

By just laws is meant laws that apply equally to all, rich and poor, educated, men and women. * * *

What is your experience with the Ku Klux Klan as to whether that proclamation is believed and transposed to action and continued.

Mr. BLUMBERG. I don't believe they believe this at all.

Mr. WELTNER. [Reading:] "We believe in the upholding of the Constitution of these United States."

Bearing in mind that the first amendment of the Constitution of the United States includes the right peaceably to assemble, I wonder whether or not you believe this statement.

Mr. BLUMBERG. I think they believe in this statement as it is interpreted by them.

Mr. WELTNER. What about this:

We believe in freedom of speech: By this is meant the right of any citizen to express an opinion on any subject, either publicly or privately, so long as no other person's private character is assailed. * * *

Now, you have expressed some opinions publicly and I wonder whether or not your experience bears out a firm belief in this proclamation.

Mr. BLUMBERG. Let me answer that by saying this: There is no freedom of speech or freedom of assembly or a businessman's right to run his business in Bogalusa today.

Mr. WELTNER. What about this:

We believe in a free press, uncontrolled by political or religious sects.

The press should be free to spread news without coloring it to suit any person or sects: * * *

What has been your experience with that as a member of the press and as an associate of Mr. Lou Major, publisher of the newspaper here.

Mr. BLUMBERG. At this time the newspaper, which was formerly a liberal paper, is a completely conservative newspaper. It is not the real policy of the editor down there. It isn't what he really believes.

¹ See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 347-352.

² Ibid. pp. 366-371.

Mr. POOL. Let me interrupt right there now. You said, "conservative newspaper." Are you saying that conservatives are followers of the Ku Klux Klan?

Mr. BLUMBERG. No, I am not saying that.

Mr. POOL. I wanted to distinguish that. I kind of like to be considered a conservative in my district. People down there like conservatives, and I want to get that in the record straight.

Mr. BUCHANAN. May I say amen?

Mr. BLUMBERG. That is not what I meant. The paper publishes news slanted the way the Klan wants it slanted. There is no doubt about it.

Mr. WELTNER. So you wouldn't particularly believe the practice of the Klan as taught by this belief in a free press?

Mr. BLUMBERG. Absolutely not.

Mr. WELTNER. You previously testified that a friend of yours came to you and said that—or someone well known to you came and said that his friends wanted you to retract everything you have said and followed it by saying, "We don't want to harm women and children," and following that your wife and child were sent to St. Louis and once again were sent to St. Louis.

What about this: "We believe in the protection of our pure womanhood, the home * * *."

Mr. BLUMBERG. I don't know who wrote that.

Mr. WELTNER. This is written by the United Klans of America, Knights of the Ku Klux Klan, Inc., in Alabama.

Mr. BLUMBERG. I don't believe any of that; none of it that you have read so far.

Mr. WELTNER. Mr. Chairman, I have no further questions.

Mr. BUCHANAN. I would just like to thank the witness for his testimony, Mr. Chairman. I have no further questions.

The CHAIRMAN. The witness will be excused. Thank you ever so much. We certainly appreciate the contribution you have made.

Call your next witness.

Mr. APPELL. I would like to call to the stand Mr. Charles Christmas.

The CHAIRMAN. The committee will come to order. The next witness will come forward.

Will you call your next witness?

Mr. APPELL. I have, Mr. Chairman. Mr. Charles Christmas.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CHRISTMAS. I do.

TESTIMONY OF CHARLES HORTON CHRISTMAS, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Will you state your full name for the record, please?

Mr. CHRISTMAS. Charles Horton Christmas.

Mr. APPELL. When and where were you born?

Mr. CHRISTMAS. June 18, 1917, Meridian, Mississippi.

Mr. APPELL. Are you represented by counsel?

Mr. CHRISTMAS. I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Yes, sir. My name is Michael S. Ingram, engaged in private practice of law from Baton Rouge, Louisiana.

Mr. Chairman, if I might clarify the record, for your record, the decision that you referred to during the testimony of the last witness from the case of the United States of America against the Original Knights of the Ku Klux Klan was not a Fifth Circuit Court of Appeals decision.

The CHAIRMAN. I am sorry, it was a three-judge court decision.

Mr. INGRAM. It came out of the Eastern District of Louisiana.

The CHAIRMAN. I am sorry. I knew that. In my reference to that decision, I meant to say that that decision was rendered by a three-judge court, as it is technically called, composed of Judge John M. Wisdom of the Fifth Circuit Court of Appeals and District Judges Herbert Christenberry of New Orleans and District Judge Robert Ainsworth of New Orleans in the Eastern District of Louisiana. The decision was written by Judge Wisdom as a Fifth Circuit Court of Appeals Judge.

Mr. APPELL. Mr. Christmas, when and where were you born?

Mr. CHRISTMAS. June 18, 1917, Meridian, Mississippi.

Mr. APPELL. Where do you presently reside?

Mr. CHRISTMAS. Amite, Louisiana.

Mr. APPELL. Do you have a street?

Mr. CHRISTMAS. 414 North Duncan Avenue.

Mr. APPELL. Mr. Christmas, are you appearing before the committee today in accordance with a subpoena served upon you on October 26, 1965, at the Brumfield Motor Company in Amite, Louisiana?

Mr. CHRISTMAS. Yes, sir.

Mr. APPELL. Are you employed by the Brumfield Motor Company?

Mr. CHRISTMAS. Yes.

Mr. APPELL. Mr. Christmas, under the conditions of the subpoena you were directed to produce certain documents called for in an attachment which was made a part of the subpoena. Paragraph 1 calls for you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, Louisiana Rescue Service and the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as Grand Dragon of the 6th Congressional District of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce the documents called for.

Mr. INGRAM. Just a moment.

Mr. Chairman, it is my understanding that yesterday after meeting with Mr. Appell on this matter, and by telephone conversations with Mr. McNamara, the staff director of this committee, back in November, when these men were originally scheduled to appear, and quite recently, that I advised Mr. McNamara and yesterday Mr. Appell, that all the records asked for in paragraph 1 of the subpoena duces tecum issued to Mr. Christmas and the other defendants who were also named as individual defendants in the injunction sought under the Civil Rights Act in New Orleans, which was tried early in September, that

all of this literature was in the court record as evidence and in the possession of the clerk of courts in New Orleans and also in the hands of the Justice Department, to whom it was turned over personally by me at the commencement of that trial in New Orleans.

I called the staff director back in November specifically for this purpose, because at that time I was advised all of it had been turned over and I wanted to know from the staff director if he wanted me to obtain a court order authorizing the release of this information so that it could be brought here to the committee today, and he said that he would obtain a ruling from the chairman.

I was later advised it would suffice, not to obtain this court order if this information had been in the record.

I might also point out that these gentlemen were served with a subpoena duces tecum in that case which, although I do not have a copy of it here today, I am well familiar with it since myself and my two law partners represented most of these men in that case in New Orleans; that that subpoena issued by the Justice Department was more encompassing and broader than the subpoena is here today, and I would like a clarification before we proceed.

The CHAIRMAN. Here is Mr. McNamara of the committee. Would you relate your understanding? I don't think it is necessary to be sworn unless contradictions develop.

Mr. McNAMARA. I would like to qualify one statement made by Mr. Ingram. I think it is no more than a misunderstanding. You did, as you say, call me on several occasions in regard to the subpoenas and documents called for by the committee. You did not state to me, however, that *all* of the documents called for by the subpoena had been placed in the court—had been turned over to the court.

You did tell me that *some* of them had been. I informed you that any documents which had been given to the court the committee could obtain from the court and that your witness and client would not be required to produce those, but if he had any materials that had not been turned over to the court, we would expect that they be produced.

The CHAIRMAN. Mr. Ingram, I understood you to say that the court's subpoena was broader than the committee subpoena.

Mr. INGRAM. Yes.

The CHAIRMAN. That would be your answer unless there are further points of disagreement?

Mr. McNAMARA. Mr. Ingram perhaps forgot to mention to me that everything was turned over. You did not say that. You just told me some of these documents had been turned over, but you did not say all.

The CHAIRMAN. And you say, Mr. McNamara, that whatever documents were turned over in response to the court's subpoena would not have to be produced here.

Mr. McNAMARA. That is correct.

The CHAIRMAN. Now, what is your position on that? Is it your position that of necessity everything called for was produced because the Federal subpoena was broader than our subpoena?

Mr. INGRAM. Yes, Mr. Chairman, and in addition to that, after the trial was commenced, if a transcript of that trial is present here, I am

sure that will bear this out: The defendants were required to produce additional material during the course of the trial. From specific memory, I do know that certain membership lists were turned over, the various charters and articles of incorporation of the Anti-Communist Christian Association, a copy of the constitution of the Ku Klux Klan was admitted; various pamphlets and brochures allegedly, purportedly put out by the Klan were introduced. Many of them were like what Mr. Blumberg testified to today, handbills—not only were these asked for in the Federal subpoena of the Original Knights of the Ku Klux Klan and any other Klan organization, but the Anti-Communist Christian Association, the Bogalusa Rifle Club, the United Conservatives, the Minutemen, and I think there were two or three other organizations which I can't remember now, because I don't have a copy of that subpoena.

The CHAIRMAN. Now, Mr. Appell, will you relate—as I see it, there is practically no serious disagreement. What do you have to say, Mr. Appell?

Mr. APPELL. Mr. Ingram advised me all the documents in the hands of his clients had been turned over not to the court, but to the U.S. attorney handling the case. He assumed that all of those documents were put in evidence, and we reviewed the exhibits filed in the case, and I advised him we had obtained from the court records those exhibits which were of interest to us in our inquiry; that we did not know that the Government attorney had in his possession documents turned over by his clients which were not made a part of the record; and, however, if his clients had no records they would not be required to produce something that they did not have, but that his clients would be asked this morning to produce documents called for in the record so that this record would show, as the court records showed, that these documents were destroyed and that they were not in the possession of any of his clients. This is the reason the questions are being propounded.

Mr. POOL. Are you now asking him that question?

Mr. APPELL. I am asking for the production of documents.

The CHAIRMAN. Be specific about what you want produced at this time so that we can proceed and see where we are.

I don't have a general picture of any points of disagreement, if any exist.

(Discussion off the record.)

The CHAIRMAN. I think the best thing to do is for Mr. Appell to pose such questions as he has in mind, and then Mr. Christmas has his attorney here and he was, as I understand it, the attorney in that suit and as we proceed we can see what position we go on.

Mr. APPELL. I would like to say, Mr. Christmas, to you, first, that through your counsel it was expressed that the subpoena of the court was broader than the committee's subpoena. I would like to ask you, through your counsel: Does the duces tecum part of paragraph 1 encompass all documents, records, correspondence, and memorandum covered by the subpoena of the court?

Mr. INGRAM. Mr. Appell, you are talking about paragraph 1?

Mr. APPELL. Paragraph 1.

Mr. INGRAM. All the records asked for were turned over to the Federal court.

Mr. APPELL. Did the Federal court records call for the production of correspondence, memorandums, and other documents relating to the United Klans of America?

Mr. CHRISTMAS. To the best of my knowledge, yes.

Mr. APPELL. Mr. Chairman, I ask that the witness produce the documents called for in paragraph 1.

Mr. CHRISTMAS. I respectfully decline to produce the records asked for in paragraph 1 on the grounds it might incriminate me and on the further grounds it would violate my rights as guaranteed under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. Mr. Ingram, you made a statement a while ago to the effect—as I understood it—your client didn't have these documents because they, and more of them in view of the breadth of the Federal subpoena referred to, had been submitted to, and filed with, either the court or clerk or someone in that litigation.

Now, there appears to be quite a problem here, and I must tell you that we have asked these questions of your client and you advised him what to do.

What is the pending question?

In other words, we want this record complete within itself and we want answers to these questions under oath. It is not a question of not taking anybody's word, but we have to proceed in the usual way and have you under the rules of the committee—which are in print—take the part of an attorney for your client in these hearings.

Specifically, our printed rules provide:

At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his activity to the area of legal advice to his client.

Let me say, Mr. Ingram, this is absolutely no questioning of your integrity or your word or your motives, but in view of conversations I have had with the staff, I think the only thing we can do, and must do, is to proceed in our way to have your client under oath answer these questions, because we have reasons to believe that that would be the best way.

Mr. POOL. Mr. Ingram's explanation previously was not sworn to.

The CHAIRMAN. That is true. I am trying to act as one lawyer to another here, and not question his motives, but I think the thing to do is to follow the rules of the committee, because matters discussed with me not within the hearing of the witness or his attorney force me to take the position I am now taking.

Proceed.

Mr. APPELL. Mr. Christmas, are the representations of your counsel with respect to the production of all documents in the court factual?

Mr. CHRISTMAS. Yes.

Mr. APPELL. In answer to that then, I must ask you: Is it true then that you have no records in your possession relating to the organizations called for in the subpoena?

Mr. CHRISTMAS. I respectfully decline to answer your question on the constitutional grounds previously stated.

The CHAIRMAN. I missed them. What constitutional amendments did you rely on?

Mr. CHRISTMAS. 1st, 4th, 5th, and 14th.

The CHAIRMAN. All right.

Mr. Christmas, this subpoena duces tecum calling for the production of those documents was served upon you in the representative capacity stated in that subpoena. In other words, if you were in the hearing room yesterday, you heard me say it before; there is a distinction between calling on an individual as an individual to produce his records in an income tax return, and a subpoena on someone in a representative capacity, whether it is a corporation or organization of any kind.

We do not accept your invocation of the constitutional privileges you rely on, and we take that position from the point of view of our construction of court decisions. Therefore, I order and direct you to produce those documents.

Mr. CHRISTMAS. I respectfully decline and refuse to produce these documents under the constitutional privileges previously stated.

Mr. APPELL. Was your testimony given before the three-judge court in New Orleans that records of the organizations mentioned had been destroyed after the initiation of the actual injunction proceeding truthful?

Mr. CHRISTMAS. I respectfully decline to answer on the grounds previously stated.

The CHAIRMAN. In view of counsel's statement that all documents in his possession had been submitted, and more, under the Federal subpoena, and this development—which I didn't know—from the questions of Mr. Appell that you said and swore and admitted before that court that certain documents called for had been destroyed, I order and direct you to produce those documents—I mean to answer the question.

Mr. WELTNER. Mr. Chairman, may I interject something as a possible clarification? As I recall counsel's statement, he stated that his client was under compulsion of a subpoena duces tecum to produce documents which was broader than our subpoena, and he stated he would undertake to obtain those documents which had been submitted to the Federal court in Louisiana, either to the clerk or the U.S. attorney's office.

I don't recall whether counsel stated, as a representation on behalf of his client, that all documents in this witness' possession had been submitted according to that subpoena, and I think there may be a hiatus in here.

The CHAIRMAN. I am glad that you made that statement.

Counsel said at one point in the discussion that he had offered to get a court order to produce for us whatever had been admitted in the court record.

Now, as I see it, at this time, it would seem what counsel had in mind was to make available to us the documents that had been offered and to forget about—deprive us of the right to develop that, in the course of this trial, there was evidence to the effect that some of them had been destroyed, and we are interested in that destruction. So I direct you to answer that question.

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, paragraph 2 of the subpoena called for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the Original Knights of the Ku Klux Klan which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. CHRISTMAS. I respectfully refuse to produce the documents under the constitutional amendments previously stated.

Mr. POOL. Mr. Chairman, I ask that he be directed to produce the documents.

The CHAIRMAN. Yes, for the reasons I previously explained, I order and direct you to produce the documents.

I might say that *if*—and I stress that word—you have turned over to the court in New Orleans *all* records and documents called for in the first paragraph and the second paragraph of our subpoena, all you have to do is to state that and you will not be expected to turn them over to us here now, so that you do not really have a right to invoke the fifth amendment or any other amendments.

Again for the reasons previously stated—and those I just stated—I order and direct you to produce the documents.

Mr. CHRISTMAS. May we have a short recess?

The CHAIRMAN. Surely.

We will stand in recess for 5 minutes.

(Brief recess.)

The CHAIRMAN. We will reconvene at 2 p.m.

(Subcommittee members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan.)

(Whereupon, at 12:30 p.m., Wednesday, January 5, 1966, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—WEDNESDAY, JANUARY 5, 1966

(The subcommittee reconvened at 2 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order and we will resume the testimony of Mr. Christmas.

You have already been sworn, sir, so have a seat and Mr. Appell will proceed.

TESTIMONY OF CHARLES HORTON CHRISTMAS—Resumed

Mr. APPELL. Mr. Christmas, the reporter does not have the exact point we left off prior to the luncheon recess so I will ask you, when were documents, records, and memoranda in your possession destroyed as you testified in the Federal court, the three-judge court in New Orleans?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. Did you testify in the Federal court?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Did you or anyone testify before the Federal court, or was any reference made before those Federal judges, that at any time documents had been destroyed?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, is it factual that the documents were destroyed following the release of the leaflet published by the Original Ku Klux Klan which welcomed the investigation of the Klan?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Mr. Christmas, it is my general information—and you can correct it if it is not so—that the documents we are talking about that were destroyed were, in fact, destroyed after the injunction suit had been filed and after this committee announced on March 30, 1965, that it would hold hearings on the Ku Klux Klan organizations in the United States. Is that not true?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. A witness testified yesterday, in connection with the destruction by fire of documents, that the reason for their destruction was fear of the enemy, which he nebulously referred to as the Communists. Was that the reason why these documents were destroyed?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Is it not a fact that the documents which were destroyed—which, as I have said, took place after the filing of the injunction suit and after the announcement of our hearings and after the announcement in the press that we were subpoenaing numerous witnesses—based on that I ask you this question:

Is it not a fact that one of the reasons for their destruction was fear that they would be subpoenaed and would have to be produced both, or either, in the Federal court or before this committee?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Christmas, does the refusal on your part to produce documents called for in paragraph 1 and paragraph 2—is the reason for the refusal based upon the fact that since your appearance on September 8, 1965, before the three-judge court in Louisiana and the date that you were served with a subpoena by the Committee on Un-American Activities, that books, documents, records, correspondence, and other memoranda did come into your possession?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, I hand you a copy of a document, the front cover of which shows a cross and the title, the "Knights of the

Ku Klux Klan Since 1866," and page 2 showing the "Konstitution of the Original Ku Klux Klan Realm of Louisiana," and I ask if this is a copy of the document you presented to the court?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

The CHAIRMAN. Let the reporter note that documents that were commented on and questioned on by either this witness or other witnesses previously appearing should be inserted in the transcript of the proceedings at the respective points where the several witnesses were questioned.

Mr. APPELL. Mr. Christmas, I would like to quote to you from the opinion of the three-judge court (Ralph Blumberg Exhibit No. 2):

The Grand Dragon of the Original Knights of the Ku Klux Klan and President of the Anti-Communist Christian Association is Charles Christmas of Amite in Tangipahoa Parish. * * *

Is that factual, sir?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. I think we have a right to take judicial notice of the accuracy of the statement in the Federal court, unless you testify to the contrary.

Mr. APPELL. Mr. Christmas, when did you become a member of the Original Ku Klux Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In November 1964 were you a coordinator or organizer in the Sixth Congressional District or Sixth Province of the Original Knights of the Ku Klux Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In early 1965 did the bulk of the Klan members of the Sixth Congressional District sever their relationship with the parent organization and become an independent group?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, it was testified to in the three-judge court injunction proceeding that, in order for a person to become a member of the Anti-Communist Christian Association, that the member would give to the Klavern secretary the number by which he was known as a member of the Klavern and the secretary would then issue him a card in the Anti-Communist Christian Association. Is that testimony that was given in that case actual?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. Let me say again that, just as in the previous instance and in other instances that might come up, unless and until there is evidence to the contrary this committee is going to assume the accuracy of statements given in court and sworn testimony given in court.

Mr. APPELL. Mr. Christmas, after the organization of the Sixth Congressional District of the Klan became independent, were you elected to the position of Grand Dragon?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Under the constitution the number two man to the Grand Dragon is the Grand Titan. Did Saxon Farmer hold the position of Grand Titan of the Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Who held the position of grand klokard?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In February 1965 did you attend a meeting near Amite, Louisiana, in which there was discussed the possibility of uniting the four factions again under one head?

Mr. CHRISTMAS. I respectfully decline to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, are you familiar with the organizational procedure in the Original Knights whereby the exalted cyclops of Klaverns was to see to it that each Klavern would have a body of men known as the wrecking crew?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did your Klan group in the Bogalusa area create as an instrumentality within the Klan a boycott committee?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, I will read to you from the opinion of the court a description of the boycott committee and its responsibilities:

"The Boycott Committee (one member from each local unit appointed by the Exalted Cyclops) shall have exclusive investigative authority and it shall not act at any time with less than three members present. . . .

(1) No person or subject upon whom a boycott shall have been placed shall be patronized by any member. . . . Boycotts shall be imposed upon subjects who are found to be violating the Southern traditions. . . .

Boycotts shall be placed upon all members of the Committee who publicly served with Bascom Talley in his efforts to promote the Brooks Hays meeting.

Boycotts shall be placed upon any merchant using Negro employees to serve or wait upon persons of the white race. (Service Stations using Negroes to pump gas are excluded.)

Boycotts shall be placed against a subject who serves Negroes and whites on an integrated basis.

Boycotts shall be placed upon a subject who allows Negroes to use White rest rooms. . . .

No member shall be punished for violation of the rules by a member of his family under twelve (12) years of age.

Any member who shall after a hearing have been found guilty of personally patronizing a subject listed on the boycott list shall be *wrecked by the wrecking crew* who shall be appointed by the Committee. (Emphasis added.) . . .

Second offense—If a member is found guilty of personally violating the boycott list he shall be wrecked and banished from the Klan."

Mr. Christmas, would you explain to the committee the reasons and necessity for the appointment of a boycott committee?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Was Marvin Foster the chairman of the boycott committee?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, as Grand Dragon of the Klan and as president of the Anti-Communist Christian Association, can you tell us under what arrangements and how it came about that Marvin Foster was appointed a personal liaison man between the Klan and the city administration?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mayor Cutrer testified at the trial in Louisiana that it was Marvin Foster who suggested that he attend the meeting of the Klan held at the Disabled American Veterans' Hall. Was his testimony truthful?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, I show you five leaflets, four of which proclaim that they were published by the Original Ku Klux Klan of Louisiana and one signed merely "The K.K.K." and I ask you who was the author of these leaflets?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Two of said documents previously marked "Ralph Blumberg Exhibits Nos. 1 and 3," respectively. See pp. 2454, 2455. Three marked "Charles Christmas Exhibits Nos. 1-A through 1-C." See pp. 2456-2458.)

Mr. APPELL. Was Dewey Smith the author?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. POOL. Do you intend to give this committee any information at all?

Mr. CHRISTMAS. I decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, as the leader of the Klan in Bogalusa did you know Albert Applewhite to be the exalted cyclops of Unit 4 in Bogalusa?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. He was an auxiliary policeman. Was he and some 17 other Klansmen sworn out of the Klan so they could deny Klan membership in order to remain in the auxiliary police force?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, as a leader of the Klan, did you know William Houston (popularly known as Jack) Burke to be the EC of a Klan unit?

The CHAIRMAN. By "EC" you mean exalted cyclops?

Mr. APPELL. Yes, Mr. Chairman.

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, in January 1965 did he head a committee comprised of the exalted cyclops of the Klaverns in the Sixth Congressional District area?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Prior to your taking over leadership of the Klan, was Saxon Farmer the head of the Klan in the Sixth Congressional District?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. At a meeting of the Klan, was it agreed that if Saxon Farmer should be arrested you would take over?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan did you know James M. Ellis, Jr., to be the exalted cyclops of Unit No. 2?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you know Howard M. Lee, the gun dealer, to be the exalted cyclops of the Mitch Community Klavern unit?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. Is that the man who was charged and convicted of having violated the Federal law dealing with the sale of guns and firearms?

Mr. APPELL. Yes, Mr. Chairman.

Did you know D. D. McElveen to be a member of the Klan in the Bogalusa area?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you know him to be a member of the wrecking crew?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan did you know Russell E. Magee to be in August 1964 kleagle for the Franklinton unit of the Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In September 1964 did you know him to be a leader of the Klan in the Sixth Congressional District?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you know Kinch Miley to be a member of the Klan?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan did you know Eric Peterson of Sun, Louisiana, to be at one time the exalted cyclops of the Klan unit in Bush, Louisiana?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a leader of the Klan did you know Dewey Bernard Smith to have been at one time the exalted cyclops of Unit 1 and at another time the exalted cyclops of Unit No. 2?

Mr. CHRISTMAS. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Christmas, I shall now read to you specific findings of Klan intimidation and violence as found by the three-judge court in New Orleans, in which the court found and in substance which you and the other defendants agreed to as having taken place:

(2) Since at least January 28, 1965, the defendants, including Saxon Farmer, Russell Magee, Dewey Smith, Randle C. Pounds, Billy Alford, Charles McClendon, James Burke, and other members of the defendant Klan, have made a practice of going to places where they anticipated that Negroes would attempt to exercise civil rights, in order to harass, threaten, and intimidate the Negroes and other persons. For this purpose, members of the defendant Klan have gone to Franklinton, Louisiana, when Negro citizens of Washington Parish were expected to apply to register as voters, have gone to restaurants in Bogalusa when Negroes were seeking or were expected to seek service, and have gone to locations in downtown Bogalusa and near the Bogalusa Labor Temple when Negroes were attempting or were expected to demonstrate publicly in support of equal rights for Negroes.

(3) William Yates and Stephen Miller, two CORE workers, came to Bogalusa in January 1965. The Grand Dragon and Grand Titan of the Klan, defendants Charles Christmas and Saxon Farmer, appeared at the Mayor's office to ask the Mayor to send William Yates and Stephen Miller out of Bogalusa. Mayor Cutrer indicated that he could do nothing. The next day, February 3, 1965, three Klansmen, James Hollingsworth, Jr., James Hollingsworth, Sr., and Delos Williams, with two other persons, Doyle Tynes and Ira Dunaway, attempted to insure Yates' and Miller's departure. This group followed Yates and Miller and assaulted Yates.

(4) February 15, 1965, defendant Virgil Corkern, Klansman, and approximately 30 other white persons attacked five Negro citizens and damaged the car in which they were riding. This occurred because the Negroes had sought service at a gasoline station in Bogalusa. On that same day, Corkern and other persons gathered at Landry's Fine Foods, a restaurant in Bogalusa, to observe Negroes seeking service at the restaurant. Corkern and one other entered the restaurant brandishing clubs, ordered the Negroes to leave and threatened to kill Sam Barnes, a member of the Bogalusa Voters League, who had come to the restaurant with six Negro women.

(5) March 29, 1965, defendants Hardie Adrian Goings, Jr., Klansman, and Franklin Harris, Klansman, shortly after meetings had been held at the Bogalusa Labor Temple, threw an ignited tear gas canister at a group of Negroes standing near the Labor Temple. Goings, Jr. then tried to disguise his car by repainting it and removing the air scoop from the top to prevent detection of this crime. Goings or other Klansmen used this same car in May of 1964 to burn a cross at the home of Lou Major, editor of the Bogalusa newspaper.

(6) April 7, 1965, defendants Lattimore McNeese and E. J. (Jack) Dixon, Klansman, threatened Negro citizens during the course of a meeting at the Labor Temple by brandishing and exhibiting a gun at Negroes standing outside the Labor Temple.

(7) April 9, 1965, defendants Billy Alford, Klansman, Randle C. Pounds, Klansman, Lattimore McNeese, Charles McClendon, and James Burke, Klansman, with other persons, went to the downtown area of Bogalusa where Negro citizens were participating in a march to the Bogalusa City Hall to protest denial of equal rights. Pounds, McClendon, and Burke, in a group, moved out to attack the marchers. Pounds assaulted the leader of the march, James Farmer, with a blackjack; McClendon and Burke were temporarily deterred from the threatened assault, but immediately thereafter assaulted a newsman and an FBI agent. Alford assaulted one of the Negroes participating in the march.

(8) May 19, 1965, Virgil Corkern, Klansman, two sons of Virgil Corkern, and other white persons went to Cassidy Park, a public recreation area maintained by the City of Bogalusa, for the purpose of interfering with the enjoyment of the park by Negroes and white CORE workers who were present at the park and using the facilities for the first time on a non-segregated basis. The Corkern group entered the park and dispersed the Negro citizens with clubs, belts, and other weapons.

(9) Negro members of the Bogalusa Voters League, unable to exercise their civil rights and also unable to obtain from police officials adequate protection from the Klan, filed suit June 25, 1965, in the case of *Hicks v. Knight*, Civ. Ac. No. 15, 727 in this Court. The complaint asks for an injunction requiring of

officers of the City of Bogalusa to open the public parks and to operate such parks without racial discrimination, and also requiring law enforcement officers of the City, Parish, and State to protect the Negro plaintiffs and other Negroes from physical assaults, beatings, harassment, and intimidation at the hands of white citizens. July 10, 1965, this Court issued an injunction in *Hicks v. Knight* enjoining certain city and parish law enforcement officers from failing to use all reasonable means to protect the Negro plaintiffs and others similarly situated from physical assaults and beatings and from harassment and intimidation preventing or discouraging the exercise of their rights to picket, assemble peaceably, and advocate equal civil rights for Negroes. The preliminary injunction is still in full force and effect. Even after this Court issued its order July 10, 1965, the defendant Klansmen continued to interfere with Negro citizens exercising civil rights and interfered with performance of the duties of law enforcement officials under the injunction in *Hicks v. Knight*.

(10) July 11, 1965, during a Negro march in downtown Bogalusa, defendants Randle Pounds, Klansman, H. A. Goings, Jr., Klansman, Franklin Harris, Klansman, and Milton E. Parker were present. Harris and Goings passed out 25-30 2x2 clubs to youths and Pounds stationed the youths along the march route. Parker was arrested by a City policeman along the route of march for disturbing [sic] the peace.

(11) Included in the exhibits are a number of handbills bearing the caption, "Published by the Original Ku Klux Klan of Louisiana". These are crude, scurrilous attacks on certain Bogalusa citizens who advocated a moderate approach to desegregation. For example, in one handbill an Episcopal minister is accused of lying for having said that he had received calls threatening to bomb his church; the minister's son is said to be an alcoholic, to have faced a morals charge in court, and to have been committed to a mental institution. The handbill adds:

"The Ku Klux Klan is now in the process of checking on Reverend _____'s [naming him] moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violation of his in the past."

In the same handbill the Klan announced that it was "boycotting businesses which cater to integration such as Mobile Gas Stations, etc." Mobile Gas Station is a business competitor of the defendant, Grand Titan Saxon Farmer.

All of the handbills attempt to intimidate public officials, the Governor of Louisiana, the Congressman from the Sixth District, the Mayor of Bogalusa, and federal judges (by name). Sometimes the attempted intimidation is by threat of violence, sometimes by character assassination. We quote, for example:

The Court then quotes from one of the handbills which I shall not read in full but after talking about the conduct of public officials there is contained this language:

"All these should be tarred and feathered:

MAYOR JESSIE CUTRER, REPRESENTATIVE SHERIDAN, SENATOR SIXTY RAYBORN, SHERIFF DORMAN CROWE, CONGRESSMAN JIMMY MORRISON, GOVERNOR JOHN McKEITHEN, SENATOR RUSSELL LONG"

Mr. Christmas are there any expressions of this finding of the court which I have read to you to which you would like to take exception or comment upon?

Mr. CHRISTMAS. I respectfully refuse to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. Then let me have this word to say, I think, to complete the record, and the whole opinion will be printed as part of the record. (Previously marked "Ralph Blumberg Exhibit No. 2." See pp. 2475-2519.)

Mr. Christmas, you were one of the defendants in that case. I state that as a matter of fact. The court in that statement—and this is general language—said: "An unusual feature of this litigation is the defendants' damning admissions. * * *"

The court proceeded:

In deciding to grant the injunction prayed for, we rest our conclusions on the finding of fact that, within the meaning of the Civil Rights Act of 1957 and 1964, the defendants have adopted a pattern and practice of intimidating, threatening, and coercing Negro citizens in Washington Parish * * *.

Proceeding further:

We find that to attain its ends the klan exploits the forces of hate, prejudice, and ignorance. We find that the klan relies on systematic economic coercion, varieties of intimidation, and physical violence in attempting to frustrate the national policy expressed in civil rights legislation. * * *

Further on, the court says, based on admissions in the pleadings and sworn testimony—and you were one of the people they were talking about:

Wrapped in myths and misbeliefs which they think relieve them of the obligations of ordinary citizens, Klansmen pledge their first allegiance to their Konstitution and give their first loyalty to a cross in flames.

Further findings of fact include—and I will give you an opportunity to explain:

None of the defendant Klansmen is a leader in his community. As a group, they do not appear to be representative of a cross-section of the community. Instead they appear to be ignorant bullies, callous of the harm they know they are doing and lacking in sufficient understanding to comprehend the chasm between their own twisted Konstitution and the noble charter of liberties under law that is the American Constitution.

And finally, the court in its holding says:

Legal tolerance of secret societies must cease at the point where their members assume supra-governmental powers and take the law in their own hands. We shall not allow the misguided defendants to interfere with the rights of Negro citizens deprived from or protected by the Constitution of the United States and now expressly recognized by Congress in various Civil Rights statutes.

And then, finally:

We enjoin the Original Knights of the Ku Klux Klan, its dummy front, the Anti-Communist Christian Association, and the individual defendants from interfering with orders of this Court * * *.

and so on.

Now, I ask you, and I mean it sincerely, do you wish an opportunity to affirm, deny, explain, or exculpate yourself as a defendant in these proceedings before the three-judge court of any of the findings of fact based upon damning admissions in the pleadings before the court and sworn testimony. Would you care to take advantage of that offer I now make?

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. I must say to you that, unless and until you or someone else party to these proceedings appear and give credible evidence and testimony to the contrary, this committee, as it must, will assume to be true the statement by the court under the circumstances I have indicated.

Mr. APPELL. Mr. Christmas, I have one last question to ask of you, sir, and this goes directly to the sincerity of the Klan.

The leaflet which was quoted this morning, a leaflet, according to the masthead, published by the Original Ku Klux Klan of Louisiana, the one in which the reference is made to the Reverend Shepherd's moral standards, in which there are these two sentences:

"Much has been printed about the Ku Klux Klan being a violent organization. This is not true." (Ralph Blumberg Exhibit No. 3)

Now I put it to you as a fact, Mr. Christmas, and ask you to affirm or deny the fact, that during your testimony or the testimony of Mr. Farmer it was testified that the reason you adopted the organization, the Anti-Communist Christian Association, was that the members of the Klan felt that the Klan was too violent, that they felt there was no need for the KBI, and that they felt that there was no need for wrecking crews. I ask you, is it not a fact that your testimony in the trial or testimony of Mr. Farmer is a direct contradiction of the two sentences I read to you from this leaflet which you distributed in Bogalusa in hopes that the people there would believe it?

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. One other thing, Mr. Christmas: With respect to Mr. Shepherd, the Reverend Shepherd, you say—this leaflet says:

The Ku Klux Klan is now in the process of checking on Reverend Shepherd's moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violations of his in the past.

The inference is that the Reverend Bruce Shepherd has been engaged in moral indiscretions. You leave this impression with the people. Have you ever determined whether he has been involved so that you can erase the harm that you did to the man, or have you documented that there was anything to support the malicious inferences contained in this leaflet?

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. No further questions.

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. I have just one reflection on the same leaflet that Mr. Appell referred to, showing at the top "Published by the Original Ku Klux Klan of Louisiana." It contains two sentences as follows:

Congressman Charles Weltner of Atlanta, Georgia, a member of the House Committee of Unamerican Activities has proposed that committee investigate the Klan.

Later on it says:

The Original Ku Klux Klan invites any investigation that Congressman Weltner should like to make.

I would inform the witness that the investigation now pending is an investigation that had been proposed by myself and other members of this committee and adopted by this committee unanimously. I would like to ask what has transpired since the publication of this document welcoming this investigation and the present day that has caused you and your colleagues to refuse to respond to any inquiries of the committee.

Mr. CHRISTMAS. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. WELTNER. No further questions.

The CHAIRMAN. The witness is excused.

(Ralph Blumberg Exhibits Nos. 1 and 3, introduced on pp. 2421 and 2430, respectively, and Charles Christmas Exhibits Nos. 1-A through 1-C, introduced on p. 2448, follow:)

P-126

PUBLISHED BY THE ORIGINAL KU KLUX KLAN
OF LOUISIANA

On Sunday, December 27, 1964, the Bogalusa Daily News announced that a "renowned layman" Brooks Hayes, is to speak in Bogalusa, on January 7, 1965. His subject will be better community relations. The Bogalusa Daily News stated,

"a group of civic, religious and business leaders of Bogalusa have invited Hayes to speak here at the St. Matthew's Episcopal Church Parish House. Due to limited seating facilities, the meeting will be by invitation."

The Daily News did not tell you the whole true story concerning this meeting and it is the purpose of this leaflet to give you the full story concerning this meeting.

In the first place, this meeting of January 7, 1965, is to be an intergrated meeting. The meeting was arranged by Bascom D. Talley, Jr., the local public or community relations commissioner who is holding this job by appointment of Lyndon B. Johnson under the infamous civil rights act. Bascom D. Talley formed a committee to help shoulder the responsibility of this meeting. This committee of intergration minded people are the group of "civic, religious and business leaders" referred to by the Daily News. Mr. Talley's committee is composed of Bruce H. Shepherd, Minister of the St. Matthew's Episcopal Church, Vertrees Young, a member of the Episcopal Church, Reverend Jerry Chance, Minister of the Main Street Baptist Church, Reverend Paul G. Gillespie, Minister of the Memorial Baptist Church, Reverend James T. Harris, Minister of the Methodist Church, Reverend Bob Lambright whose similar escapades have made him a Minister without a church, Ralph Blumberg, owner and operator of the radio station WBOX, and, of course, Lou Major, Mr. Talley's favorite pup.

In the second place, this intergrated meeting is for the sole purpose of planning the intergration of your Church, Schools, Businesses, Restaurants, Hotels, Motels, etc, and those who will receive invitations to the January 7th. meeting will be people who Bascom D. Talley hopes that Brooks Hayes can convince that they should change their social and religious lives, and that in turn will try to convince you that you should help intergration by sitting in Church with the black man, hiring more of them in your businesses, serving and eating with them in your cafes, and allowing your children to sit by filthy, runny-nosed, ragged, ugly little niggers in your public schools.

In the third place, the Bogalusa Daily News did not tell you the whole story about Brooks Hayes. He is a traitor to the South. He assisted Sherman Adams draw the order to send Federal Troops into his own State of Arkansas to put nine little niggers into white schools, the result of which was a fine of \$5,000,000 of the taxpayers money as well as the beating and jailing of hundreds of white citizens. As a result of Hayes' intergration efforts, he was defeated in his efforts for re-election to Congress by a political unknown, Dr. Dale Alford. Brooks Hayes is now a member of the Civil Rights Commission Relations Committee and he is paid a lucrative salary by the Federal Government to make talks such as he is scheduled to make in Bogalusa, on January 7th., 1965.

Q The Ku Klux Klan is strongly organized in Bogalusa and throughout Washington and St. Louis many Parishes. Being a secret organization, we have KLAN members in every conceivable business in this area. We will know the names of all who are invited to the Brooks Hayes meeting and we will know who did and did not attend this meeting. Accordingly, we take this means to urge all of you to refrain from attending this meeting. Those who do attend this meeting will be tagged as intergrationists and will be dealt with accordingly by the Knights of the KU KLUX KLAN. b

There is in Bogalusa a man named Talley, who with a hand picked committee has planned an intergrated rally; This man would love the nigger, in order to grow financially bigger; He and his committee have come up with an intergration plan, which is bitterly opposed by the KU KLUX KLAN; Talley has attended Nigger Churches to sing, this was done to please Martin Luther King; While Talley sings with his nigger group, the KU KLUX KLAN will more Knights recruit; Soon Talley and his committee will know who is boss, as the KU KLUX KLAN lights the fiery cross.

RALPH BLUMBERG EXHIBIT No. 3

***** PUBLISHED BY THE ORIGINAL KU KLUX KLAN OF LOUISIANA *****

As a result of the statement issued in the Bogalusa Daily News, signed by Bascom D. Talley, Jr., Bruce Shepherd, Paul Gillespie, Jerry Chance, Ralph Blumberg and Lou Major announcing the cancellation of the invitational, integrated, speaking engagement in this city by Brooks Hays, our City, as well as the Klan, received unfair, biased, national publicity from television and newspapers throughout the country. The national news media quoted Bascom Talley as saying that Bogalusa has a "leadership vacuum". They quoted Bruce Shepherd as saying "Bogalusa has a high rate of alcoholism and mental illness". The national press even misquoted Brooks Hays who was supposed to have said "Bogalusa is a city in the grips of the Ku Klux Klan." Even one magazine contained an article entitled "Klan Town U.S.A." which accused Bogalusa of being dominated by the Ku Klux Klan. This article was written by a free lance, alcoholic reporter—Paul Good, who spent over \$100.00 on alcoholic beverages, who wrecked his car, and who was charged with reckless driving during his short visit to Bogalusa.

Bruce Shepherd was quoted as saying that he had received calls threatening to bomb his church if Brooks Hays were allowed to speak there. We accuse Bruce Shepherd of lying. There was no such threat or threats made and we challenge Bruce Shepherd to prove that he made such a report to the police.

Bruce Shepherd must have had his family in mind rather than our city when he stated we had a high rate of alcoholism and mental illness because Bruce Shepherd himself can be observed frequently emerging from the Cuban Liquor Company with an arm load of liquor. We further would have you know that Bruce Shepherd's son recently faced a charge in court for morals violation and was committed to a mental institution.

The Ku Klux Klan is now in the process of checking on Reverend Shepherd's moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violations of his in the past.

Much has been printed about the Ku Klux Klan being a violent organization. This is not true. There was no violence when public accommodations were tested in this city and there has been no violence since then. We, however, have formed a large block white vote which will more than offset any other block vote in this entire parish. We also are boycotting businesses which cater to integration such as Mobile Gas Stations, Radio Station W. B. O. X., Rosenblum's, Zesto and the Barbecue Inn. The Bogalusa Daily News is also being boycotted by the Klan because while the National press was tearing Bogalusa into shreds, it did not print one single word in the defense of Bogalusa. The theory behind boycotting the Daily News and these other businesses is that to financially aid such business institutions is comparable to buying bullets for a man as John Dillinger who would take the bullets and then kill you and rob your city.

Congressman Charles Weltner of Atlanta, Georgia, a member of the House Committee of Un-American Activities has proposed that committee investigate the Klan. We wonder why he doesn't also propose to investigate the Black Muslims who advocate black supremacy, who commit murder and who commit arson all over the country in a period of one week and who defied and refused to allow Chicago Police to enter their meeting place while they were beating almost to the point of death one of Malcolm X's friends. We urge each of you to write this Congressman and demand that he investigate the Black Muslims.

The original Ku Klux Klan invites any investigation that Congressman Weltner should like to make. The citizens of Bogalusa know that this city has always been a Klanish City from the days of the Great Southern Lumber Company until now. We have never appreciated outsiders telling us how to run our city. Outsiders have often caused trouble in our City. A good example of this was when labor unions were forming in Bogalusa. A gang of union busters or hired gunmen were brought to this city to kill those who stood up for the common man. As a result of such incidents, it is only natural that Bogalusa would be Klanish.

CHARLES CHRISTMAS EXHIBIT No. 1-A

PUBLISHED BY THE ORIGINAL LOUISIANA KU KLUX KLAN

THE QUESTION
WHO BOUGHT JESSE CUTRER?

Was it CORE? Was it LBJ?

In the beginning of the Racial troubles in Bogalusa, the Mayor assured the people that he COULD & WOULD handle this invasion of trouble makers. When the problem began the Mayor said that he would not give a Parade Permit. Cutrer did give the Parade Permit. The people of Bogalusa respected the Mayor's judgement. The tax-paying people gave up their streets and humbled themselves. The people were ORDERED off THEIR own streets, by a Police Force, whom the people pay. This was done by direct order of the Bogalusa Mayor, the man that was trusted. NO VIOLENCE ERUPTED. The people did EVERYTHING in their power to see that the Mayor and his Council were not interfered with in their efforts to save the city from this DEGRADATION. As the people tried to preserve our Southern way of Life, the Mayor and Council were slowly selling the people out at every turn. The Mayor has repeatedly GIVEN in. James Farmer did not have the support of the local Negroes. Mayor Cutrer is not giving the city of Bogalusa to the negro citizens of Bogalusa. No. He is giving the city to James Farmer and a handful of Negro Teenagers. NO PRESSURE was put on James Farmer and Dick Gregory to keep them out of Bogalusa. Not by the Mayor, the State Representative, the State Senator, or Congressman Morrison. This was not so when the WHITE CONSERVATIVES wanted to stage a Rally. Pressure was exerted from all levels, even the invited guest speakers were "leaned on".

The Governor, the Congressman, Jimmy Morrison, or his com-rats, Suksty Rayborn, and Buster Sheridan, John McKeithen asked for our vote and promised to serve the PEOPLE. We now ask, Big John, isn't this TRUE? What is happening under your administration?

Here is the list of elected officials who COULD & AND SHOULD have helped the People of Bogalusa. All these should be tarred and feathered.

MAYOR JESSIE CUTRER
REPRESENTATIVE SHERIDAN
SENATOR SIKTY RAYBORN
SHERIFF DORMAN CROWE
CONGRESSMAN JIMMY MORRISON
GOVERNOR JOHN MCKEITHEN
SENATOR RUSSELL LONG

Now the QUESTION. Why have these men, elected by the WHITE people turned their back on us in our time of need?

Is Communism so close? Who bought them? Who bought their HONOR and FOR HOW MUCH?

MAYBE SOME OF THESE PEOPLE:

1. Rowan Burris-Homosexual; he is free on bond at the present time, charged with contributing to the delinquency of a minor.
2. Robert Hicks-Official of the Negro Voters League.
3. A. Z. Young-Official of the Negro Voters League.
4. Michael Jones-Local Program Director for CORE.
5. Robert Taylor-Official of the Negro Voters League.
6. Victor Bussie-State President of ALF-CIO, Chairman for the committee of OUTSIDERS imported into Bogalusa by Mayor Jesse H. Cutrer, Jr., to solve our LOCAL problems.
7. Camel Gravel-Member of this IMPORTED MEDIATION BOARD.
8. Bascom D. Talley, Jr., -Local representative for LBJ's federal compliance agency, "The Community Relations Service."
9. Ronnie Moore-State Field Representative for CORE.
10. Dick Gregory-Negro Comedian.
11. James Farmer-National Director for CORE.

CHARLES CHRISTMAS EXHIBIT No. 1-B

PUBLISHED BY THE ORIGINAL KU KLUX KLAN OF LOUISIANA

It is the intention of this literature to inform the public of the positions taken by the original Ku Klux Klan in the past six months of racial strife in our city.

On numerous occasions we have been asked by local officials to refrain from any acts of violence upon this outside scum that has invaded our city. Being a christian organization, we have honored these requests each time. How much longer can we continue ??? Contrary to what the liberal element would have you think, this memorandum is not the work of racist and hate mongers or trouble makers, as Governor "Big John" McKeithen calls us. We are God fearing white, southerners who believe in constitutional government and the preservation of our American heritage.

If your governor would have done the right thing to start with, he would have refused to protect these local and outside agitators and did just what one great southern governor did. He refused to protect this outside element, (CORE, NAACP, SNICK, ETC.), at the expense of his state. He chose, instead, to let LBJ and Katzenbach protect them. Only after the city of Bogalusa had spent \$86,000, did he, (Big John McKeithen), make any effort to ease the situation in this city.

"Big John" is now organizing a 40 man biracial committee to prevent other "Bogalusas". He does not need this committee, because he and our mayor have and still are giving these niggers, (Deacons for Defense of Justice), their every whim.

It has come to the point that these agitators can sit and block the entrance to our restaurants. In New York, Washington D.C. and on Pennsylvania Avenue, this low class scum was arrested and taken to jail, but not in our city.

On Thursday July 22, one of our local police captains gave the order to arrest the "sit ins" in front of one of our local restaurants, but his superior intervened, and ordered his men to "let these little darlings alone".

"Skinnum" Jim Morrison was called on for his assistance also. Mr. Morrison informed some of our local citizens that they supported the Republican candidate in the last election and they should call upon him for his assistance. If Mr. Morrison had the welfare of his district, (and not his pocketbook), and heart, he would use the powers of his office to restore our city to normalcy and remove such characters as James Farmer, Ronnie Moore, Louis Lomax, Dick Gregory, and LBJ'S troublemaker, John Doar

FACT ABOUT OUR FEDERAL JUDGES:

Can a white man win justice in a federal court ??? These federal judges are not elected by the people, but are appointed to office by the same people that are now after the nigger block vote.

DID YOU KNOW

1. Judge "Crystal Ball" Christenberry is a brother-in-law of James H. Morrison, and has been in a mental hospital for alcoholism?
2. Judge Gordon West was a law-partner of Russell B. Long - he taught one class at LSU, but was paid full pay.
3. Judge Frank Ellis was the attorney in 1947 for the Dairy Farmers of the Florida Parishes. He took their money and sent 52 out of 54 men to federal jail for a year or more. (Many of these men were just home from World War II).

Has any of these judges ever served in the armed forces and fought or been wounded for their country ???

Recently there was a hearing before judge "Crystal Ball", in which he inferred that the testimony of most of the white witnesses was false, but on the other hand, when a nigger was confused by cross examination, he put words in his mouth. There was no need for this hearing, because, just like Doar, his liberal, brain washed mind was already in favor of the niggers.

The only way to defeat this enemy is by organized opposition and resistance. There are more than enough people who oppose this unconstitutional behavior to defeat it. Simply join hands with us. Vote for a Jeffersonian type of government, not for personal gain. Vote for honorable, Christian candidates. If all our elected officials were statesmen instead of politicians, we would not be faced with the problems before us at this time. We can defeat this issue with the ballot, boycott and economic pressure.

Won't you please join with us in this fight for freedom and leave a christian America to your children as your parents left to you.

We can't raise our standards by mixing with the black man, but we will lower the standards of this great nation that the white man has built. Are we to save the Political careers of James Morrison, John McKeithen, Sixty Rayborn, et al. Or are we to save our religions, houses, and country?

Let us leave this one thought with you:

"Purchase where the nigger pickets"

CHARLES CHRISTMAS EXHIBIT No. 1-C

JULY 13 1965

FACTS

FACTS

FACTS

TO: THE COLORED PEOPLE OF THIS COMMUNITY, AND OTHERMMIS-LED PERSONS.

UNTIL THE NAACP AND CORE BECAME ACTIVE IN LOUISIANA ANY COLORED PERSON COULD GET HELP FROM ANY WHITE PERSON (MALE OR FEMALE). UNTIL THE NAACP AND CORE BEGAN TO THREATEN THE GOOD COLORED PEOPLE AND FORCE THEM TO JOIN THEIR SO CALLED CIVIL RIGHTS MOVEMENT.

THE JEWISH LED CORE AND NAACP GAVE YOU...

MONTHLY DUES TO PAY(DID YOU EVER KNOW A JEW TO DO ANYTHING HE WASN'T WELL PAID FOR?) THIS IS TAKING THE COLORED PEOPLES MONEY TO MAKE THE NORTHERN JEW RICHER.

HAVE THEY EVER HELPED YOU GET A JOB?

HAVE THEY EVER HELPED YOU FINANCE A CROP?

HAVE THEY EVER LOANED YOU MONEY AT LOW INTEREST?

HAVE THEY EVER FED OR CLOTHED YOUR CHILDREN?

HAVE THEY LOWERED YOUR SOCIAL POSITION BY FORCING YOU TO ASSOCIATE WITH THE LOWEST WHITE TRASH FROM THE NORTH?

THE GOOD COLORED PEOPLE HAVE ALWAYS LOOKED DOWN ON THIS TYPE OF POOR WHITE TRASH. THIS POOR WHITE TRASH IS SO LOW THEY ARE NOT ACCEPTED IN THE WHITE SOCIETY.

WHY DO YOU ALLOW THE JEWISH LED NAACP AND CORE MAKE THEM YOUR LEADERS? TRUE, THEY HAVE MADE SOME LOCAL COLORED PEOPLE RICH. THOSE WHO HAVE SOLD THEIR BROTHERS SOUL FOR (BLOOD MONEY) PEICES OF SILVER, THE PRICE JUDAS WAS PAID FOR BETRAYAL OF JESUS CHRIST.

THEY HAVE NOTHING TO GIVE YOU BUT PROMISES AND MUST LIVE OFF YOU. HOW MANY OF YOUR COLORED BROTHERS CAN YOU NAME THAT ARE SELLING YOU FOR THEIR OWN PERSONAL GAIN? AS JUDAS DID JESUS CHRIST.

HOW MANY OF THESE COLORED BROTHERS THAT TOOK THIS WHITE TRASH INTO THEIR HOMES DO YOU KNOW? LOOK AROUND AND SEE IF IT HELPED THEM TO MIX WITH THE WHITE SOCIETY. NO, FOR NOW THESE SAME COLORED BROTHERS ARE LIVING IN A CLOSED SOCIETY, FOR NONE OF THIER WHITE FRIENDS WILL RESPECT THEM NOW. THEY LOWERED THEMSELVES BY TAKING THIS WHITE TRASH IN TO THIER HOMES.

LOOK AT THOSE WHO ARE GETTING PAYCHECKS FROM OPERATION HEAD START, THE SAME ONES THAT ALREADY DRAW A PAYCHECK FROM THE TAXPAYERS. SHOULD THAT NOT PROVE TO YOU COLORED PEOPLE, THAT THESE SO CALLED LEADERS ARE SELFISH. COLORED PEOPLE WAKE UP AND STOP THESE SELFISH (SO-CALLED) LEADERS, FROM USING YOU AS A TOOL FOR THIER OWN L-A-Z-Y POCKET BOOKS.

THINK COLORED PEOPLE THINK.

REMEMBER

IF THE TRUTH SEEMS STRANGE

IT'S BECAUSE TRUTH

HAS BECOME A STRANGER IN THIS LAND

THE K.K.K.

The CHAIRMAN. Call your next witness.

Mr. APPELL. I would like to call Mr. Saxon Farmer.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FARMER. I do.

**TESTIMONY OF SAXON FARMER, ACCOMPANIED BY COUNSEL,
MICHAEL S. INGRAM**

Mr. APPELL. Will you please state your full name for the record, please, sir?

Mr. FARMER. Saxon Farmer.

Mr. APPELL. When and where were you born?

Mr. FARMER. February 13, 1907, at Huttig, Arkansas.

Mr. APPELL. Are you represented by counsel?

Mr. FARMER. I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram from Baton Rouge, Louisiana.

Mr. APPELL. Mr. Farmer, are you appearing here this morning and this afternoon in accordance with subpoena served upon you by Deputy United States Marshall on October 26, 1965 at 315 East 5th Street in Bogalusa?

Mr. FARMER. Yes.

Mr. APPELL. Mr. Farmer, under the terms of the subpoena you are directed to bring with you and to produce documents set forth in the attachment, which is made a part of this subpoena.

Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of Ku Klux Klan of Louisiana and affiliated organizations, namely, Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as member or officer of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan or the Original Knights of the Ku Klux Klan of Louisiana or the Anti-Communist Christian Association.

I ask you to produce the documents called for.

Mr. FARMER. I respectfully decline and refuse to produce on the grounds that it might tend to incriminate me; on the further grounds that it would violate my rights under the 1st, 4th, 5th, and 14th amendments as guaranteed by the Constitution of the United States.

Mr. APPELL. Mr. Chairman, I ask the witness be directed to produce.

The CHAIRMAN. You were in the hearing room when I explained the position of the committee to other witnesses preceding you with reference to this subpoena being served upon you, not in your individual capacity but in the capacity indicated in the subpoena. You were present; were you not?

Mr. FARMER. Yes.

The CHAIRMAN. I take it, as your counsel and others previously have indicated, you understand the position. I now order and direct you to produce them.

Mr. FARMER. I respectfully refuse to produce this information on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, a copy of the opening statement the chairman delivered when these hearings first started in October was sent

to your attorney. Were you advised of the contents of that document?

Mr. FARMER. Yes.

The CHAIRMAN. Mr. Ingram, you would make the same admission as with reference to the previous clients, that is, you received a copy and are generally familiar with what I said at the beginning of the hearings indicating the purpose, objective, and hopes of the hearings?

Mr. INGRAM. Yes, sir.

Mr. APPELL. Paragraph 2 calls for the production of:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member or officer of the United Klans of America, Inc., Knights of the Ku Klux Klan, or any other Klan organization, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I direct you to produce those documents.

Mr. FARMER. I respectfully decline and refuse to produce the documents on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask for direction of the witness for production of items called for in paragraph 2.

The CHAIRMAN. For the reasons previously indicated and under the circumstances of our colloquy, I order and direct you to produce these documents.

Mr. FARMER. I respectfully decline and refuse to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, are there any grounds for refusal to produce the documents called for in paragraphs 1 and 2 other than the reasons which you have set forth?

Mr. FARMER. I refuse to answer on the grounds previously stated.

Mr. APPELL. Were any of the books, records, and documents called for in paragraph 1 and paragraph 2 destroyed after you had knowledge of the committee's investigation and out of fear that those documents would be subpoenaed by this committee?

Mr. FARMER. I respectfully decline and refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Farmer, were you a witness before the three-judge court sitting in September 1965 in New Orleans, Louisiana?

Mr. FARMER. I respectfully decline to answer on the constitutional grounds previously stated.

Mr. APPELL. I will put it to you as a fact that you testified you were the Grand Titan of the Klan and at the same time vice president of the Anti-Communist Christian Association and ask you to affirm or deny that fact.

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. In supporting the Constitution of the United States, do you as the vice president of the Anti-Communist Christian Association support the Constitution of the United States as it now exists, or do you have reservations as to the Constitution which you support?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I hand you a copy of Articles of Incorporation of the Anti-Communist Christian Association.

According to this document, the Articles of Incorporation were

filed with the recorder of Washington Parish, Louisiana, on January 21, 1965. They show the registered agents are Robert T. Rester, Saxon Farmer, and that the first directors are W. J. [William J.] Williams of Varnado, Louisiana; Saxon Farmer; and Lloyd Joiner, Route 2, Box 270, Ponchatoula, Louisiana.

In handing this document to you, Mr. Farmer, I ask you to explain the provision Article II, the purpose of that part of it which reads:

To provide for the preservation of the Constitution of the State of Louisiana, the Constitution of the United States of America, as originally written * * *.

Would you explain that to the committee, please?

Mr. FARMER. I respectfully decline to answer your question on the constitutional grounds previously stated.

(Document marked "Saxon Farmer Exhibit No. 1. See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 362-365.)

Mr. WELTNER. Mr. Chairman, I might point out that the Constitution as originally written contains neither the 1st, 4th, 5th, nor the 14th amendment.

The CHAIRMAN. That is historically true.

Mr. APPELL. Mr. Farmer, as the number two man in both the Klan and the Anti-Communist Christian Association, did you approve and endorse the action taken against Bascom D. Talley, Jr., Bruce Shepherd, Paul Gillespie, Jerry Chance, Ralph Blumberg, and Lou Major following knowledge of an invitation extended to Brooks Hays?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I would ask you if you can reconcile the position that you took in light of reason 27 as it appears in the "Fifty Reasons Why You Should Be a Member of the Original Ku Klux Klan," which is because the Klan "believes in free speech and free press, as opposed further to a police state." (Murry Martin Exhibit No. 14, p. 2389.)

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, on Saturday, May 30th of 1964, the Klan had a rally in Bogalusa on public property, in which members of the Klan were masked in violation of Louisiana law. Did the Klan have assurances from anyone, law authority, in Bogalusa that you would not be arrested for violating the Louisiana State law that prohibits the wearing of a mask on public property?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, you were in the room when I read to Mr. Christmas the findings of the court with respect to violence and intimidation carried out by the members of the Original Knights and the Anti-Communist Christian Association. I give you an opportunity to express any comments you care to express on the findings of the court in that action.

Mr. FARMER. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Mr. Farmer I would like you to answer the question if you can safely answer it. You were in the hearing room when Mr. Christmas was on the stand and when I read excerpts from that decision in which case you, as a matter of fact, were also a defendant; were you not? I am asking you, were you in the room?

Mr. FARMER. Yes.

The CHAIRMAN. Without repetition or consumption of more time. I, too, offer you an opportunity to confirm, deny, explain, or otherwise comment on the findings of the court based upon admissions made in the pleadings and based upon admissions in the courtroom and based upon sworn testimony before the court. Do you care to avail yourself of that offer?

Mr. FARMER. I decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. Until you or someone else of the defendants in that suit appears before this committee and gives credible testimony which would show otherwise, this committee will assume, under the circumstances indicated, that the excerpts I quoted from are true.

Mr. FARMER. I decline to answer the question of the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, do you know John Magee?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Magee testified at the three-man court in Louisiana, identified himself as being treasurer of the Anti-Communist Christian Association, and testified that while he was the treasurer you, Saxon Farmer, controlled the funds. What are the sources of funds of the Anti-Communist Christian Association?

Mr. FARMER. I decline to answer the question on the grounds, constitutional grounds, previously stated.

Mr. APPELL. You testified that there were seven Klan units in Washington Parish. I ask you to identify the exalted cyclops of those seven units.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. You testified that you opposed the appearance of former Congressman Brooks Hays because he appeared to you to be a liberal, leftwing Communist. Yet you testified in court you had no evidence. Is a tactic like this one of the typical tactics of the Klan of which you were an officer?

Mr. FARMER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Isn't it a fact that you testified that you were one of the incorporators of an organization known as the United Conservatives?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, among the incorporators listed were yourself; your son; Ned Touchstone of Shreveport, Louisiana; and Courtney Smith of Shreveport, Louisiana. Did you know the other three other than yourselves to be members of the Ku Klux Klan?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Farmer, do you have a formal connection today, with, not the Original Knights of the Ku Klux Klan, not the Anti-Communist Christian Association, but the United Klans of America. Knights of the Ku Klux Klan, which is headed by the Imperial Wizard Robert Shelton?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you spoke at a United Klan rally held at Poplarville, Crossroads Community, Mississippi, on 17 July 1965. I ask you to affirm or deny the fact.

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the master of ceremonies for that rally in which you spoke was C. J. Seal of White Sands Community, Poplarville, Mississippi.

Mr. FARMER. I decline to answer the question on constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that another speaker along with yourself was Mr. Ovid Dunaway of Bogalusa, Louisiana, who at one time was an exalted cyclops of an Original Knights Klavern in Bogalusa.

Mr. FARMER. I decline to answer the questions on the constitutional grounds previously stated.

Mr. APPELL. Was Mr. Dunaway, whom I have identified as a speaker at that rally, also in charge of a raffle in Bogalusa which was staged to raise funds for the A.C.C.A.?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Do you know Mr. Dunaway to hold a supervisor position with the telephone company in Bogalusa?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did Mr. Dunaway assist the Klan in any manner in illegally obtaining any knowledge against citizens of Bogalusa?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. John O. Guinn from Taylor, Louisiana was another speaker at that rally.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Ernest Gilbert, the grand kleagle of the United Klans of America for the Realm of Mississippi, was a speaker at that rally.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that E. L. McDaniel, the Grand Dragon for the State of Mississippi, was also a speaker at that rally.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Mr. Jack Helm, an officer of the United Klans of America, Realm of Louisiana, was a speaker at that rally.

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Did you meet on the platform at that rally a Klansman from Waveland, Mississippi, by the name of DiSalvo?

Mr. FARMER. I decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. On July 21, 1965, the United Klans of America held another rally at Poplarville, Crossroads, Mississippi. The principal speaker at the July 21 rally was Imperial Wizard Mr. Shelton. I would like to ask you to comment on a report made to the committee with respect to the speakers at that rally, and I am quoting from a report:

The last speaker was a 16 year old boy from Bogalusa, La., named Mike Copran. He gave a short talk on the Bible and its stand on integration. He also made a plea for boys in the Bogalusa area to join a youth group headed by Mr. Saxon Farmer. He stated that any boy belonging to the group would have his bond made, and or, his fine paid if he got in trouble with the law for hitting a negro demonstrator.

Do you have any comment to make upon that, Mr. Farmer?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Were you on July 21, 1965, organizing a youth group under your leadership as Mike Copran is reported to have said at that rally?

Mr. FARMER. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused. Call the next witness.

Mr. APPELL. Mr. John Magee.

The CHAIRMAN. Raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MAGEE. I do.

TESTIMONY OF JOHN MAGEE, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Will you state your full name for the record, please, sir?

Mr. MAGEE. John Magee.

Mr. APPELL. I think you will have to speak up a little louder and get closer to the mike. I could not hear you.

Mr. MAGEE. John Magee.

Mr. APPELL. When and where were you born?

Mr. MAGEE. January 3, 1932, at Tylertown, Mississippi.

Mr. APPELL. Where do you presently reside, Mr. Magee.

Mr. MAGEE. Bogalusa.

Mr. APPELL. Your street and address?

Mr. MAGEE. 531 Union Avenue.

Mr. APPELL. Mr. Magee, are you appearing here today in accordance with the subpoena served upon you on the 28th day of December 1965?

Mr. MAGEE. Yes.

Mr. APPELL. Mr. Magee, have you been apprised through your attorney of the contents of the opening statement the chairman delivered on October 19, 1965, as to the purpose of this hearing?

Mr. MAGEE. Yes.

Mr. APPELL. Mr. Magee, the subpoena served upon you called for you to bring with you and to produce documents called for in attachment which reads as follows:

All books, records, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan, the Original Knights of the Ku Klux Klan of Louisiana, the Louisiana Rifle Association, the Christian Constitutional Crusaders, and the Anti-Communist Christian Association in your possession, custody or control

or maintained by you or available to you as present or past officer or member of the Original Knights of the Ku Klux Klan, the Original Knights of the Ku Klux Klan of Louisiana, the Louisiana Rifle Association, the Christian Constitutional Crusaders, and the Anti-Communist Christian Association.

I ask you to produce the documents called for in that section.

Mr. MAGEE. I respectfully refuse to decline, to answer the question—I respectfully refuse to produce the records on the grounds it might tend to incriminate me under the Constitution, and on the further grounds to answer the same would violate my rights inherent under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. Mr. Magee, you were in the hearing room, were you not, when I explained the position of the committee with reference to the command of this subpoena served upon you to produce documents in the capacity indicated in the subpoena?

Mr. MAGEE. Yes.

The CHAIRMAN. For the reasons I stated previously, which you say you understand, I order and direct you to produce these documents.

Mr. MAGEE. I refuse to produce the documents on the grounds previously stated.

Mr. APPELL. Mr. Magee, are there any reasons other than the reasons you have set forth that you did not produce the documents called for?

Mr. MAGEE. I refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Magee, during the proceedings in the three-judge court in Louisiana, the court ordered Mr. Charles Christmas and Mr. Saxon Farmer to try to recall from memory, or from any records available to them, the identity of people who were members of either the Klan or the Anti-Communist Christian Association. These two lists or three lists were submitted by Mr. Farmer and Mr. Christmas. One is a list headed "Former Officers of the Original Knights of the K.K.K."; the other, "Officers" of the "Anti-Communist Christian Assn." Both of these documents under the heading of "Officers" list "Johnny Magee."

Is the information supplied by the court as it applies to yourself in that proceeding, as it applies, factual?

Mr. MAGEE. I refuse to answer on the grounds previously stated. (Documents marked "John Magee Exhibits Nos. 1-A and 1-B," respectively. See pp. 2467-2469.)

Mr. APPELL. Are you presently a member of any Klan organization?

Mr. MAGEE. I refuse to answer the question on the grounds previously stated.

Mr. APPELL. I hand you a reproduction of a signature card filed with the First State Bank & Trust Co., Bogalusa, Louisiana, on account in the name of the Parish A.C.C.A. The card shows that the authority to the bank to authorize payment of checks containing any two signatures was given by Robert E. Stallings and contains the names of J. E. Magee, B. R. Crain, Sidney Brock, for an account opened on May 22, 1965. I ask you if that signature card is factual?

Mr. MAGEE. I refuse to answer on the grounds it might tend to incriminate me.

(Document marked "John Magee Exhibit No. 2" follows:)

JOHN MAGEE EXHIBIT No. 2

NAME <i>Parish A.C.C.A.</i>		CORPORATION	
TO First State Bank & Trust Co.		Bogalusa, Louisiana	
You are authorized to recognize any (* <i>2</i>) of the signatures subscribed below in the payment of funds or the transaction of any business for this account. It is agreed that all transactions between you and the undersigned shall be governed by the contract printed on the reverse side of this card.			
(* Indicate Number of Signatures Required) 1.		BY <i>Robert E. Stallings</i>	
		A.B.A. Approved Contract	
2.	<i>J. E. Magee</i>	PRESIDENT	
3.	<i>J. R. Crain</i>	VICE-PRESIDENT	
4.	<i>Sidney Brock</i>	SECRETARY	
5.	<i>531 N. Main St.</i>	TREASURER	
ADDRESS <i>P.O. Box 1152</i>		<i>Bay</i>	
DATE OPENED	SIGNATURE AUTHORITY DATED	INITIAL DEPOSIT	ACCOUNT OPENED BY
	<i>PARISH A.C.C.A.</i>	<i>3/11/52</i> <i>100.62</i>	<i>R</i>

Mr. APPELL. According to canceled checks submitted by the banks in accordance with the subpoena duces tecum, the makers are John Magee, J. E. Magee, Robert E. Stallings, J. E. Magee, Sidney Brock. J. E. Magee, Robert E. Stallings, J. E. Magee, Robert E. Stallings. These checks are drawn against the account of the Parish A.C.C.A.

One shows that the purpose for which drawn is for district funds. Can you explain to the committee the division of the Parish A.C.C.A. into its district breakdown?

Mr. MAGEE. I decline to answer on the grounds it might tend to incriminate me.

(Checks marked "John Magee Exhibit No. 3" and retained in committee files.)

Mr. APPELL. Will you tell the committee the purpose for which these checks were drawn?

Mr. MAGEE. I decline to answer on the constitutional grounds previously stated.

Mr. APPELL. It is your testimony in the Federal court that Saxon Farmer actually handled the funds, therefore, the inference that your position of treasurer is that of a figurehead position?

Mr. MAGEE. I respectfully decline to answer under the constitutional grounds it might incriminate me.

Mr. APPELL. Mr. Chairman, I would like to ask that the records relating to the Parish A.C.C.A. and the list of former officers of the Original Knights, and the current members of the Anti-Communist Christian Association be entered as an exhibit to Magee's testimony.

The CHAIRMAN. These documents will be admitted in the record at this point.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. The witness is excused.

(John Magee Exhibits Nos. 1-A and 1-B introduced on p. 2465 follow:)

JOHN MAGEE EXHIBIT NO. 1-A

A. Former Officers of the Original Knights of the K.K.K.

Charles Christinas
 Saxon Farmer
 Albert Applewhite
 Marmon Foster
 James M. Ellis
 Ored Danaway
 W.H. Burke
 Charles H. Lane
 Johnny Magee
 Hulon Danaway
 Dewey Smith
 Murphy R. Williams, Jr.

B. Former Members -

Charles Christinas
 Saxon Farmer
 Albert Applewhite
 ✓ Marmon Foster
 ✓ James M. Ellis
 ✓ Ored Danaway
 W.H. Burke
 Charles H. Lane
 Johnny Magee
 * Jimmie Fied
 Hulon Danaway
 Murphy R. Williams, Jr.
 Russell Magee
 Vogel Concern
 * Robert Fuller
 * Royal Young
 Dewey Smith

✓ Jels Williams
 Hardie Young Sr.
 Arthur R. Applewhite
 * Houston P. Williams
 Esley Freeman
 Rayford Danaway
 ✓ Eddie Freeman
 ✓ Hardie Young, Jr.
 James Hollingsworth, Jr.
 Randle Bonds
 * J.D. Swenson
 James Burke
 Billy Aldred
 * Murkay Wharton
 Sidney A. Warner
 Russell Williams
 * Billy Skupper

JOHN MAGEE EXHIBIT NO. 1-A—Continued

Eugene Farmer
 Billy Crain
 R. L. Stallings ✓
 Sidney Brock
 Calvin Warner
 J. W. Fisher
 O'Neal Austin Jones
 James Hellingnorth, Jr.
 ✓ Harold E. Smith
 ✓ C. B. Smith
 Carl Williams
 Dewey Varnado.
 ✱ Jim Ford

JOHN MAGEE EXHIBIT NO. 1-B

Anti-Communist Christian Assn.

A. OFFICERS -

- ✓ Charles Christmas
- ✓ Saxon Farmer
- ✓ Dewey Smith (not now - a former officer)
- ✓ Johnny Magee
- ✓ O'Neal Remawany
- Calvin Warner
- J. W. Fisher
- Sidney Brock
- Dick Williams

JOHN MAGEE EXHIBIT NO. 1-B—Continued

B. MEMBERS -

Charles Christmas

Saxon Farmer

Dwight Smith

Vergel Crickman

Delos Williams

✓ Russell Magee

Hardie A. Hoings, Sr.

Edgar Freeman

Ransie C. Brund

Bridg Alfred

James Burke

Heddie R. Coings, Jr.

Warren Foster (a former member)

W. H. Burke

Sidney Brock

Charles H. Lane (a former member)

Arrie ~~Ward~~ Warner

Ray Ritchie

Johnny Magee

Ray Risher

Rayford Denaway

Orel Denaway

Horton Denaway (a former member)

The CHAIRMAN. Call your next witness.

Mr. APPELL. Dewey Bernard Smith.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SMITH. I do.

**TESTIMONY OF DEWEY BERNARD SMITH, ACCOMPANIED BY
COUNSEL, MICHAEL S. INGRAM**

Mr. APPELL. Will you state your full name for the record, Mr. Smith?

Mr. SMITH. Dewey B. Smith.

Mr. APPELL. When and where were you born?

Mr. SMITH. Washington Parish, Louisiana, March 8, 1920.

Mr. APPELL. Is the city of your birth Franklinton?

Mr. SMITH. I don't really know.

Mr. APPELL. Where do you reside?

Mr. SMITH. At present I reside in Granada Hills, California.

The CHAIRMAN. How long have you been residing there?

Mr. SMITH. The latter part of September 1965.

The CHAIRMAN. And your residence previous to that was?

Mr. SMITH. Bogalusa, Louisiana.

Mr. APPELL. Mr. Smith, are you represented by counsel?

Mr. SMITH. Yes I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Smith, have you been advised by your counsel as to the contents of the opening statement of the chairman setting forth the purposes of this hearing?

Mr. SMITH. Yes.

Mr. APPELL. Mr. Smith, are you appearing here today in accordance with a subpoena served upon you by the United States marshal on 10-28-65, October 28, 1965?

Mr. SMITH. Yes.

Mr. APPELL. Under the conditions of the subpoena served upon you and the date of your appearance which was extended by telegrams, you were directed to produce for the committee items contained in an attachment thereto, which was made a part of the subpoena.

Under paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as Exalted Cyclops of Washington Parish Unit of the Original Knights of the Ku Klux Klan of Louisiana.

I ask you to produce the documents called for.

Mr. SMITH. I respectfully decline and refuse to produce said documents on the grounds that it might incriminate me and on the further

grounds that it would be a violation of my rights under the 1st, 4th, 5th, and 14th amendments to the United States Constitution.

The CHAIRMAN. Mr. Smith, you were in the hearing room when I explained the position of this committee with reference to the provisions of this subpoena directing you to produce documents in the capacity indicated therein; were you not?

Mr. SMITH. Yes.

The CHAIRMAN. Then I call upon you and direct you to produce those documents.

Mr. SMITH. I respectfully decline to produce them on constitutional grounds as previously indicated.

Mr. APPELL. Do you have any reasons, other than the constitutional reasons that you stated, for failing to produce the documents called for?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. Is one of the reasons for your failure to produce, the fact that some of those documents were documents which were destroyed in a fear that they might be subpoenaed by the Federal Government in the Bogalusa case, as well as by this committee?

Mr. SMITH. I respectfully decline to answer on the constitutional grounds previously stated.

The CHAIRMAN. I will say to you as a fact that you were a defendant in that suit.

Were you in the hearing room—I think you were—when I read excerpts from that decision which, by reason of the fact that you were a defendant, apply to you? I am just asking, were you in the hearing room?

Mr. SMITH. Yes.

The CHAIRMAN. Do you care to avail yourself of an opportunity to explain, contradict, deny, or otherwise comment on the facts and holdings of the court based on the statements in the record in that sworn testimony?

Mr. SMITH. I respectfully refuse to answer on the constitutional grounds as previously stated.

The CHAIRMAN. If people in that case do not decide to appear and give credible contradictory testimony under oath, the committee may presume to be true the factual findings made in that decision.

Mr. APPELL. Paragraph 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as a present or past member or officer of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. SMITH. I respectfully decline to produce on the constitutional grounds as previously stated.

The CHAIRMAN. And for the reasons I have previously indicated, set forth, I order and direct you to produce these documents.

Mr. SMITH. I respectfully refuse to produce the documents on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Smith, I hand you a series of leaflets distributed in the Bogalusa area published, according to the leaflets, by the Original Ku Klux Klan of Louisiana, and I ask you if you are the author of any of these leaflets?

Mr. SMITH. I refuse to answer the question on the constitutional grounds as previously stated.

(Documents previously marked "Ralph Blumberg Exhibits Nos. 1 and 3" and "Charles Christmas Exhibits Nos. 1-A through 1-C," respectively. See pp. 2454-2458.)

The CHAIRMAN. Mr. Smith, I understand you have a college education and that you are a fluent talker—in general terms I am talking about. Would you care to describe to the committee the purpose and objectives and programs that the Klan organization stands for?

Mr. SMITH. I respectfully refuse to answer on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Smith, what is your educational background?

The CHAIRMAN. Well, I just indicated that it was my information that he had gone through college. I obtained that from you so I suppose that is accurate. I hope it is.

Mr. APPELL. I would like him to state the full extent.

Mr. SMITH. I respectfully decline to answer on the constitutional grounds as previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you attended Southwestern Louisiana Institute prior to enrolling in San Jose State College. You attended in 1944 and 1945. enrolled in chemistry and botany courses.

September 1945 you were admitted to the University of California at Los Angeles and completed 35 units, majoring in horticulture.

Mr. SMITH. I respectfully refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. What is your military background, Mr. Smith?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you entered the United States Army in June 1940; were honorably discharged as technical sergeant in May 1943; accepted a commission in the Army of the United States, the Army Air Force: were relieved of active duty in April 1944 as a second lieutenant due to a duodenal ulcer and neuritis.

Mr. SMITH. I refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Are you drawing disability or retirement benefits from the United States Army?

Mr. SMITH. I respectfully refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Smith, in February 1964, did you attend a meeting of Klan units at Alexandria, Louisiana, in which Royal V. Young, the former Imperial Dragon of the Original Knights of the Ku Klux Klan, appeared before the representatives of the units and to ask that the organization be held together under his leadership?

The CHAIRMAN. And asked what?

Mr. APPELL. That the organization be held together under his leadership. Under Young's leadership.

Mr. SMITH. I respectfully refuse to answer on the constitutional grounds as previously stated.

Mr. APPELL. In March 1964 were you a write-in candidate for sheriff of Washington Parish, Louisiana?

Mr. SMITH. I respectfully refuse to answer on the constitutional grounds previously stated.

Mr. POOL. When you plead the fifth amendment on a political question, you might get in trouble on that.

Mr. APPELL. Did you advise the electorate at the time you were a candidate that you were at the same time a member of the Original Knights of the Ku Klux Klan?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

The CHAIRMAN. Well, were you?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Smith, having taken a Klan oath in which you promised to keep secret to yourself the secret of a Klansman, except treason against the United States, rape, and malicious murder, how could you in good conscience, having taken that oath, appear on a ballot as a candidate for the office of sheriff?

Mr. SMITH. I refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. If you had been elected to sheriff, under your oath, wouldn't you have had to give protection to your fellow Klansmen?

Mr. SMITH. I respectfully refuse to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. In July 1964, were you a member, or the exalted cyclops of Unit No. 2 in Bogalusa, Louisiana?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Would you identify to the committee the klokan and the members of the wrecking crew of that Klan unit?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. In December of 1964 were you exalted cyclops of Unit No. 1 of the Klan in Bogalusa, Louisiana?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. In February 1965, while the exalted cyclops of Unit No. 1, did you advise fellow Klansmen that you would put up your business and property to go bail bond for any Klansman arrested?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. In April of 1965 did you attempt, along with other Klansmen, to enter Central High School in Bogalusa to disrupt an integration meeting?

Mr. SMITH. I respectfully decline to answer the question upon the constitutional grounds previously stated.

Mr. APPELL. Mr. Smith, have you made a statement to your fellow Klansmen that you owe no loyalty to the United States because the late President Kennedy and President Johnson are traitors?

Mr. SMITH. I respectfully decline to answer the statement—the question—on the constitutional grounds previously stated.

Mr. APPELL. I wish you would correct me if I am wrong, but it is my understanding you are receiving compensation from the Federal Government.

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. While residing in Bogalusa in January 1965, were you a member of the Minutemen?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. At a meeting of the Minutemen in January 1965, did you make the statement the only way to keep communism from taking over was to get rid of some politicians and that the only way to do this was to kill them?

Mr. SMITH. I respectfully decline to answer the question on the constitutional grounds as previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions.

The CHAIRMAN. The witness is excused.

The committee will stand in recess until 10 o'clock tomorrow.

(Whereupon, at 4 p.m., Wednesday, January 5, 1966, the subcommittee recessed, to reconvene at 10 a.m., Thursday, January 6, 1966.)

[On the following pages appears the opinion of court in the case of *United States v. Original Knights of the Ku Klux Klan, et al* marked "Ralph Blumberg Exhibit No. 2" and introduced into the record on p. 2425.]

(ORIGINAL)

Ralph Blumberg Exhibit No. 2
IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS DIVISION

U. S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FILED

DEC 1 1965

A. DALLAN O'BRIEN, JR.
CLERK *WBJ*

Plaintiff,

CIVIL ACTION NO. 15793

v.

ORIGINAL KNIGHTS OF THE KU KLUX
KLAN, an unincorporated Association;
ANTI-COMMUNIST CHRISTIAN
ASSOCIATION, a corporation;
SAMON FARMER; CHARLES CHRISTMAS;
RUSSELL MAGEE; DEWEY SMITH; VIRGIL
MCKERN; ALBERT APPLEWHITE; E. J.
(JACK) DIXON; DELOS WILLIAMS;
JAMES M. ELLIS; HARDIE ADRIAN
BOINGS, JR.; ESLEY FREEMAN;
ARTHUR RAY APPLEWHITE; JAMES A.
HOLLINGSWORTH, JR.; RANDLE C.
BOUNDS; SIDNEY AUGUST WARNER;
BILLY ALFORD; RAWLIN WILLIAMSON;
LOUIS APPLEWHITE; WILLIS
BLACKWELL; J. A. HOLLINGSWORTH,
R.; LATTIMORE MCNEESE; IRA
STANAWAY; DOYLE TINES; CHARLES
RAY WILLIAMS; FRANKLIN HARRIS;
CHARLES MCLENDON; DELTON
RAVES; MILTON EARL PARKER;
ERVIN TAYLOR; VAN DAY; RAY
ISNER; JAMES D. TERRELL;
D. D. JONES; RICHARD E. KREBS;
MICHAEL R. HOLDEN; JAMES BURKE;
ALBERT SIMONS, JR., and
OEL BALL, JR.

Defendants

DEC 2 1965

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12/1/65

Ralph Blumberg Exhibit No. 2 - Continued

Before WISDOM, Circuit Judge, and CHRISTENBERRY and AINSWORTH, District Judges.

WISDOM, Circuit Judge:

This is an action by the Nation against a klan.*

The United States of America asks for an injunction to protect Negro citizens in Washington Parish, Louisiana, seeking to assert their civil rights. The defendants are the "Original Knights of the Ku Klux Klan", an unincorporated association, the "Anti-Communist Christian Association," a Louisiana corporation, and certain individual klansmen, most of whom come from in and around Bogalusa, Louisiana.¹

The defendants admit most of the allegations of the complaint. Their legal position is that a private organization and private persons are beyond the reach of the civil rights acts authorizing the Attorney General to sue for an injunction. There is no merit to this contention.

Seeking refuge in silence and secrecy, the defendants object to the admission of any evidence as to klan activities. We hold, however, that what the klan is and what the klan does bear significantly on the material issues and on the appropriate relief.

In deciding to grant the injunction prayed for, we rest our conclusions on the finding of fact that, within the meaning of the Civil Rights Acts of 1957 and 1964, the defendants have adopted a pattern and practice of intimidating, threatening, and coercing Negro citizens in Washington Parish for the purpose of interfering with the civil rights of the Negro citizens. The compulsion within the klan to engage in this unlawful conduct is inherent in the nature of the klan. This is its ineradicable evil.

We find that to attain its ends, the klan exploits the forces of hate, prejudice, and ignorance. We find that the klan relies on systematic economic coercion, varieties of intimidation, and physical violence in attempting to frustrate the national policy expressed in civil rights legislation. We find that

Ralph Blumberg Exhibit No. 2—Continued

the klansmen, whether cloaked and hooded as members of the Original Knights of the Ku Klux Klan, or skulking in anonymity as members of a sham organization, "The Anti-Communist Christian Association", or brazenly resorting to violence on the open streets of Bogalusa, are a "fearful conspiracy against society . . . [holding] men silent by terror of [their acts] and² [their] power for evil".

As early as 1868 General Nathan Bedford Forrest, the first and only Grand Wizard of the original Invisible Empire, dismayed by mounting, uncontrollable violence laid to the klan, ordered the klan³ to disband and directed klansmen to burn their robes and hoods. General Forrest was a Confederate cavalry hero, a man without fear and, certainly to most Southerners, a man beyond reproach. He announced that he would dissociate himself from all klansmen and cooperate with public officials and the courts in enforcing law and order. But the founders of the Invisible Empire had sown dragon's teeth.

The evil that led General Forrest to disband the original Ku Klux Klan was its perversion of purposes by undisciplined klans led by irresponsible leaders.⁴ The evil we find in the Original Knights of the Ku Klux Klan is an absolute evil inherent in any 'secret order holding itself above the law: "the natural tendency of all such organizations . . . to violence and crime."⁵ As history teaches, and as the defendants' admissions and the proof demonstrate in this case, violence and crime follow as the night the day when masked men conspire against society itself. Wrapped in myths and misbeliefs which they think relieve them of the obligations of ordinary citizens, klansmen pledge their first allegiance to their Konstitution and give their first loyalty to a cross ~~burning~~ in flames.

None of the defendant klansmen is a leader in his community. As a group, they do not appear to be representative of a cross-section of the community. Instead they appear to be ignorant bullies, callous of

Ralph Blumberg Exhibit No. 2—Continued

the harm they know they are doing and lacking in sufficient understanding to comprehend the chasm between their own twisted Konstitution and the noble charter of liberties under law that is the American Constitution.

Legal tolerance of secret societies must cease at the point where their members assume supra-governmental powers and take the law in their own hands. We shall not allow the misguided defendants to interfere with the rights of Negro citizens derived from or protected by the Constitution of the United States and now expressly recognized by Congress in various civil rights statutes. We enjoin the Original Knights of the Ku Klux Klan, its dummy front, the Anti-Communist Christian Association, and the individual defendants from interfering with orders of this Court and from interfering with the civil rights of Negro citizens in Washington Parish. Specifically, these rights include:

- (1) the right to the equal use and enjoyment of public facilities, guaranteed by the Fourteenth Amendment;
- (2) the right to the equal use and enjoyment of public accommodations, guaranteed by the Civil Rights Act, 42 USC 2000a;
- (3) the right to register to vote and to vote in all elections guaranteed by the Fifteenth Amendment, by 42 USC 1971, and by the Voting Rights Act of 1965; and
- (4) the right to equal employment opportunities, guaranteed by the Civil Rights Act, 42 USC 2000e.

I.

The United States sues under authority of 42 USC 1971; 42 USC 2000a-5 and e-6. Under those sections and under 28 USC 1345, this Court has jurisdiction of the action. We resolve any doubt as to the reach of these sections in favor of the Government's standing to sue in a case of this kind. In its sovereign capacity the Nation has a proper interest in preserving the integrity of its judicial system, in preventing klan interference with court orders, and in making meaningful both nationally created and nationally guaranteed civil rights.

Ralph Blumberg Exhibit No. 2— Continued

II.

We turn now to detailed findings of fact.

A. Background. The invisible realm of the Original Knights coincides with
 of the Ku Klux Klan/~~includes the eight parishes in the Sixth Con-~~
 This district is composed of
 sessional District of Louisiana. ~~These are the "Florida" parishes,~~
 area
 east of the Mississippi River and north of Lake Pontchartrain claimed
 7
 Spain until 1810. The events giving rise to this action took
 place in Washington Parish and centered in Bogalusa, the largest
 municipality in the Parish. Bogalusa is on the Pearl River at a
 point where the river forms the boundary between Louisiana and
 Mississippi. It has a population of about 14,000 white persons and
 500 Negroes.

The Grand Dragon of the Original Knights of the Ku Klux Klan
 and President of the Anti-Communist Christian Association is Charles
Christmas of Amite in Tangipahoa Parish. Saxon Farmer, who seems to
 have an uncanny capacity for being present whenever there is racial
 trouble in Bogalusa, is the second in command of both organizations,
 and Titan of the Klan and Vice-President of the Anti-Communist
 Christian Association. In February 1955 he was elected to both
 offices simultaneously. He is also the Exalted Cyclops of one of the
 Bogalusa Klaverns (local units). In 1963 this Court entered an order
 in the case of United States v. McElveen et als. (C.A.No. 9146)
 against Saxon Farmer and others enjoining them from interfering with the
 8
 rights of Negro citizens to vote. That order restored to voter
 registration rolls of Washington Parish the names of 1,377 Negro
 citizens Farmer and others, then active in the Citizens Council, had
 lawfully purged from the rolls.

The evidence clearly establishes that the Anti-Communist
 Christian Association is not a bona fide, independent organization

Ralph Blumberg Exhibit No. 2—Continued

but is the defendant klan thinly disguised under a respectable title. At an earlier time, the klan's dummy organization was called the Bogalusa Gun and Rifle Club. The defendants' efforts to appear respectable by association may also be reflected in the location of the klan's principal office in the Disabled American Veterans Hall.

The officers, members, internal structure, ^{and} method of paying dues of the ACCA and the klan are identical. The corporate structure of the ACCA includes nothing but a charter. The governing rules and by-laws of the ACCA are the Klan Konstitution. The secret oath for admission and resignation in both organizations is the klan oath. Nothing is required of klan members to become members of the ACCA, except identifying to the secretary of the klan unit their assigned secret klan number. Klan members are then furnished a small green card with the name Anti-Communist Christian Association printed thereon. This Court finds that the defendant klan has appeared in this cause. The pretense that the klan does not exist, has ceased to exist, or has made no appearance in this cause is a sham.

Until recently Washington Parish was segregated from cradle to coffin. After Congress adopted the 1964 Civil Rights Act, however, the Negroes in Bogalusa began a broad scale campaign to gain recognition of their rights. Working through the Bogalusa Voters League, they conducted voter registration clinics, held mass meetings to call attention to their grievances, picketed places of public accommodations to protest racially discriminatory policies, and petitioned the Mayor of Bogalusa to accord equal rights in voting, public facilities, employment, and education.

The klan has been the center of ~~a pattern and practice of~~ unlawful activity in Washington Parish designed to interfere with the efforts of Negro citizens to gain equal rights under the law. Its objective has been to preserve total racial segregation in Bogalusa

Ralph Blumberg Exhibit No. 2-- Continued

B. Defendants' Admissions. An unusual feature of this litigation is the defendants' damning admissions. The defendants admit that the klan's objective is to prevent Washington Parish Negroes from exercising the civil rights Congress recognized by statute. In their pleadings, the defendants concede that they furthered their objective by --

- (a) assaulting, threatening, and harassing Negroes who seek to exercise any of their civil rights, and assaulting, threatening and harassing persons who urge that Negroes should exercise or be accorded those rights;
- (b) committing, threatening to commit, and urging others to commit acts of economic retaliation against Negroes who seek to exercise these rights, and against any persons who urge that Negroes should exercise or be accorded these rights, or who permit open, free and public discussion on the issue;
- (c) threatening and intimidating public officials and businessmen who accord or seek to accord Negroes their rights without regard to race or color.

The reason for the admissions was evident at the trial and is evident in the defendants' brief. The United States subpoenaed over a hundred witnesses and, no doubt, was prepared to prove every allegation in the complaint. Because of the defendants' admissions, the disputed issues were few and only a few witnesses were called. As a result, the klan avoided an airing of its activities that necessarily would have occurred had a large number of witnesses testified. Not content with the success of this maneuver, the defendants objected to the introduction of "any evidence pertaining to the activities of the Ku Klux Klan" on the grounds that (a) the klan had ceased to exist and (b) "delv[ing] into these unrelated matters" was solely "to expose" the Ku Klux Klan, an invasion of the "privacy and individual freedoms of all these defendants".

Ralph Blumberg Exhibit No. 2— Continued

As indicated earlier, however, the nature of the klan's activities bears directly on the existence of a pattern and practice of unlawful conduct and also on the sort of decree that should be issued.

The Government subpoenaed membership lists and records of the klan. The defendants failed to produce these records and at the hearing explained that all of the records of the klan had been destroyed as a matter of klan policy after suit was filed. The Court ordered Christmas, Farmer, and John Magee, the treasurer, to compile from memory lists of officers and members. Counsel for the defendants objected to the admissibility of the lists for the reasons that: (1) there were no lists and records in the custody of the defendants; (2) the requirement was an invasion of the rights of privacy and association. The defendants did not rely on the Fifth Amendment privilege against self-incrimination; they relied on *NAACP v. Alabama*, 1958, 357 U.S. v. 449, 78 S. Ct. 1163 2 L. Ed 2d 1488. The Court overruled the objections.

NAACP v. Alabama does not support the defendants' position.

In that case Justice Harlan, speaking for a unanimous Court, held that the rights of the members of the NAACP to pursue their lawful interests privately and to associate freely with others were protected by the 14th Amendment. Accordingly, the NAACP was relieved of the necessity of turning over its membership list to the State of Alabama. In reaching that decision the Court distinguished *New York ex rel. Bryant v. Zimmerman*, 1928,,278 U.S. 63, 49 S. Ct. 61, 73 L.Ed. 184, ^{a case} involving a New York Chapter of the Ku Klux Klan. A New York statute required any unincorporated association which demanded an oath as a condition to membership to file with state officials copies of its "constitution, by-laws . . . a roster of its membership and a list of officers". ^{In Zimmerman} the Court found that the statutory classification was reasonable, because of the "manifest tendency on the part of one class to make the secrecy surrounding its purposes

Ralph Blumberg Exhibit No. 2—Continued

and membership a cloak for acts and conduct inimical to personal rights and public welfare. . . . 'It is a matter of common knowledge that this organization [the klan] functions largely at night, its members disguised by hoods and gowns and doing things calculated to strike terror into the minds of people'. The Supreme Court reaffirmed this distinction in NAACP v. Alabama. Justice Harlan pointed out:

"[In Zimmerman] the Court took care to emphasize the nature of the organization which New York sought to regulate. The decision was based on the particular character of the klan's activities, involving acts of unlawful intimidation and violence . . . of which the Court itself took judicial notice."

Here the defendants admit that the klan's methods are lawless. Albertson
Nov. 15,
v. Subversives Activities Board, /1965 U.S. pretermits
the question at issue in Zimmerman and NAACP v. Alabama.

C. Out of Their Own Mouths. (1) The Konstitution of the Original

Ku Klux Klan embodies "the Supreme Law of the Realm". Article I states that one of the objects of the organization is to "protect and defend the Constitution of the United States"; but another object is to "maintain forever Segregation of the races and the Divinely directed and historically proven supremacy of the White Race". The preamble reaffirms "the principles for which our forefathers mutually pledged and freely sacrificed their lives, their fortunes, and their sacred honor two centuries ago"; but Article II limits the membership to "mature, Native-born, White, Gentile Men . . . who profess and practice the Christian Faith but who are not members of the Roman Catholic Church".

(2) Printed with the Konstitution is a Proclamation stating that it must be "STRICTLY ADHERED TO." The Proclamation states that "ALL REALM work is carried on by a chain of command", establishes the organization along military lines, defines the duties of the various officers and committees, and describes "The Way of the Klavern".

"All Klaverns will have at least five armed guards with flash-lights posted during regular meetings." However, "No one will be allowed to carry a gun inside the Klavern during regular meetings except the Knight Hawk (Keeper of the Klavern)."

Ralph Blumberg Exhibit No. 2— Continued

A Klokian's (Klavern Investigator's) duty is "to investigate all questionable matters pertaining to the Klavern". "Any Klansman who is known to violate our rules, especially those that give information to any aliens [non-members] shall be expelled immediately, then is to be watched and visited by the Wrecking Crew if necessary". (Emphasis added.) Moreover, each klan unit "will set up at least one team of six men to be used for wrecking crew. These men should be appointed by the Klokian in secrecy". As judges charged with the duty of drawing inferences from the demeanor of witnesses, for we observed that a former klansman exhibited uneasiness/ ~~if not~~ fear of klan reprisals, when questioned as to the function of the klan "wrecking crew". The defendants' testimony relating to the purpose and functions of the wrecking crew was evasive. There is no doubt/that the wrecking crew performed disciplinary functions and that the discipline could be severe.

(3) The Oath of Allegiance requires faithful obedience to the "Klan's Konstitution and Laws", regulations, "rulings and instructions of the Grand Dragon". "PROVIDENCE ALONE PREVENTING". Klansmen must swear "forever" to "keep sacredly secret . . . all . . . matters and knowledge of the * * * * [one asterisk is Klanese for 'Klan'; four asterisks mean "Original Knights of the Ku Klux Klan] . . . [and] never divulge same nor even cause same to be divulged to any person in the whole world". As if this were not enough, the Oath also requires klansmen to swear that they "solemnly vow and most positively swear" never "to yield to bribe, threats, passion, punishment, persecution, persuasion, nor any inticements (sic) whatever . . . for the purpose of obtaining . . . a secret or secret information of the XXXX." Section IV on "XXXX ISHNESS"

Ralph Blumberg Exhibit No. 2- Continued

... goes a little further. In this section of the oath the klansmen must swear to "keep secret to [himself] a secret of a man committed to him in the sacred bond of * manship. The crime of violating his oath, treason against the United States of America, rape, and malicious murder alone excepted." (Emphasis added,) In pure Japanese, the klansman pledges his "life, property, vote, and sacred honor" to uphold "unto death" the Constitution and "constitutional laws". (Emphasis added.) But he ends by swearing that he will zealously shield and preserve . . . free segregated public schools, white SUPREMACY."

(4) The "Boycott Rules" give a good idea of the Klan's coercive tactics. For example:

- "The Boycott Committee (one member from each local unit appointed by the Exalted Cyclops) shall have exclusive investigative authority and it shall not act at any time with less than three members present. . . .
- 7 (1) No person or subject upon whom a boycott shall have been placed shall be patronized by any member. . . . Boycotts shall be imposed upon subjects who are found to be violating the Southern traditions. . . .
- 7 Boycotts shall be placed upon all members of the Committee who publicly served with Bascom Talley in his efforts to promote the Brooks Hays meeting.
- 7 Boycotts shall be placed upon any merchant using Negro employees to serve or wait upon persons of the white race. (Service Stations using Negroes to pump gas are excluded.)
- 7 Boycotts shall be placed against a subject who serves Negroes and whites on an integrated basis.
- 7 Boycotts shall be placed upon a subject who allows Negroes to use White rest rooms. . . .
- 7 No member shall be punished for violation of the rules by a member of his family under twelve (12) years of age.
- 7 Any member who shall after a hearing have been found guilty of personally patronizing a subject listed on the boycott list shall be wrecked by the wrecking crew who shall be appointed by the Committee. (Emphasis added.) . . .
- 7 2. Second offense - If a member is found guilty of personally violating the boycott list he shall be wrecked and banished from the Klan."

It is not surprising that the attorneys for the United States

9

a difficulty extracting from klansmen answers to questions.

Ralph Blumberg Exhibit No. 2—Continued

(5) In keeping with its false front and as bait for the devout, the Klan purports to perform its dirty work in the name of Jesus Christ. The first object stated in the "Objects and Purposes" clause of the Konstitution of this anti-Roman Catholic, anti-Semitic, hate-breeding organization is to "foster and promote the tenets of Christianity". The Proclamation requires the Kludd (Klavern Chaplain) to "open and close each meeting of the Klavern with prayer". Setting some kind of a record for sanctimonious cant, the Proclamation directs the Kludd to "study and be prepared to explain the 12th chapter of ROMANS at any time, as this is the religious foundation of the Invisible Empire". (Emphasis added)

Saint Paul, Apostle to the Gentiles, wrote his Epistle to the Romans in Corinth, midway between Rome and Jerusalem. Addressing himself to Jews and Gentiles, he preached the brotherhood of man: "Glory, honour, and peace, to every man that worketh good, to the Jew first, and also to the Gentile: For there is no respect
10
of persons with God." In the Twelfth Chapter of Romans, Paul makes a beautiful and moving plea for tolerance, for brotherly love, for returning good for evil:

9 Let love be without dissimulation. Abhor that which is evil; cleave to that which is good.

10 Be kindly affectioned one to another with brotherly love; in honour preferring one another; . . .

14 Bless them which persecute you: bless, and curse not. . . .

17 Recompense to no man evil for evil. Provide things honest in the sight of all men.

18 If it be possible, as much as lieth in you, live peaceably with all men.

19 Dearly beloved, avenge not yourselves, but rather give place unto wrath: for it is written, Vengeance is mine; I will repay, saith the Lord.

20 Therefore if thine enemy hunger, feed him; if he thirst, give him drink; for in so doing thou shalt heap coals of fire on his head.

21 Be not overcome of evil, but overcome evil with good."

These words must fall on stony ground in the Klaverns of a Klan.

Ralph Blumberg Exhibit No. 2—Continued

D. Specific Findings of Klan Intimidation and Violence.

We select the following examples of the defendants' acts of intimidation and violence.

(1) January 7, 1965, former Congressman Brooks Hays of Arkansas, at the invitation of religious, business, and civic leaders ^{of} Bogalusa, was scheduled to speak in Bogalusa at St. Matthews Episcopal Church Parish House on the subject of community relations. The meeting was to be open to both Negroes and whites and it was planned that seating would be on a racially non-segregated basis. After learning of the proposed appearance of Mr. Hays and the arrangements for an unsegregated meeting, the Klan and its members protested to the Mayor and the members of the Commission Council and, by means of threats of civil disorder and economic retaliation against local businessmen who supported the meeting, caused the withdrawal of the invitation to Mr. Hays to speak. December 18, 1964, before the Hays invitation was withdrawn, the Mayor of Bogalusa and Police Commissioner Arnold Spiers, in an effort to head off possible civil disorder, appeared at a Klan meeting at the Disabled Veterans Hall. The show of force at this meeting by over 150 hooded Klansmen unquestionably intimidated public officials in Bogalusa and, later, hindered effective police action against Klan violence. On the stand, Mayor Cutrer admitted that he was "frightened when he looked into 150 pairs of eyes".

(2) Since at least January 28, 1965, the defendants, including Saxon Farmer, Russell Magee, Dewey Smith, Randle C. Pounds, Billy Alford, Charles McClendon, James Burke, and other members of the defendant Klan, have made a practice of going to places where

Ralph Blumberg Exhibit No. 2--Continued

they anticipated that Negroes would attempt to exercise civil rights, in order to harass, threaten, and intimidate the Negroes and other persons. For this purpose, members of the defendant Klan have gone to Franklinton, Louisiana, when Negro citizens of Washington Parish were expected to apply to register as voters, have gone to restaurants in Bogalusa when Negroes were seeking or were expected to seek service, and have gone to locations in downtown Bogalusa and near the Bogalusa Labor Temple when Negroes were attempting or were expected to demonstrate publicly in support of equal rights for Negroes.

(3) William Yates and Stephen Miller, two CORE workers, came to Bogalusa in January 1965. The Grand Dragon and Grand Titan of the Klan, defendants Charles Christmas and Saxon Farmer, appeared at the Mayor's office to ask the Mayor to send William Yates and Stephen Miller out of Bogalusa. Mayor Cutrer indicated that he could do nothing. The next day, February 3, 1965, three Klansmen, James Hollingsworth, Jr., James Hollingsworth, Sr., and Delos Williams, with two other persons, Doyle Tynes and Ira Dunaway, attempted to insure Yates' and Miller's departure. This group followed Yates and Miller and assaulted Yates.

(4) February 15, 1965, defendant Virgil Corkern, Klansman, and approximately 30 other white persons attacked five Negro citizens and damaged the car in which they were riding. This occurred because

Ralph Blumberg Exhibit No. 2—Continued

The Negroes had sought service at a gasoline station in Bogalusa. On that same day, Corkern and other persons gathered at Landry's Sea Foods, a restaurant in Bogalusa, to observe Negroes seeking service at the restaurant. Corkern and one other entered the restaurant brandishing clubs, ordered the Negroes to leave and threatened to kill Sam Barnes, a member of the Bogalusa Voters League, who had come to the restaurant with six Negro women.

(5) March 29, 1965, defendants Hardie Adrian Goings, Jr., Klansman, and Franklin Harris, Klansman, shortly after meetings had been held at the Bogalusa Labor Temple, threw an ignited tear gas canister at a group of Negroes standing near the Labor Temple. Goings, Jr. then tried to disguise his car by repainting it and removing the air scoop from the top to prevent detection of this scheme. Goings or other Klansmen used this same car in May of 1964 to burn a cross at the home of Lou Major, editor of the Bogalusa newspaper.

(6) April 7, 1965, defendants Lattimore McNeese and J. (Jack) Dixon, Klansman, threatened Negro citizens during the course of a meeting at the Labor Temple by brandishing and exhibiting guns at Negroes standing outside the Labor Temple.

(7) April 9, 1965, defendants Billy Alford, Klansman, Willie C. Pounds, Klansman, Lattimore McNeese, Charles McClendon, and James Burke, Klansman, with other persons, went to the downtown area of Bogalusa where Negro citizens were participating in a march to Bogalusa City Hall to protest denial of equal rights. Pounds, McClendon, and Burke, in a group, moved out to attack the marchers. Pounds assaulted the leader of the march, James Farmer, with a knife; McClendon and Burke were temporarily deterred from the planned assault, but immediately thereafter assaulted a newsman

Ralph Blumberg Exhibit No. 2—Continued

and an FBI agent. Alford assaulted one of the Negroes participating in the march.

(8) May 19, 1965, Virgil Corkern, Klansman, two sons of Virgil Corkern, and other white persons went to Cassidy Park, a public recreation area maintained by the City of Bogalusa, for the purpose of interfering with the enjoyment of the park by Negroes and white CORE workers who were present at the park and using the facilities for the first time on a non-segregated basis. The Corkern group entered the park and dispersed the Negro citizens with clubs, belts, and other weapons.

(9) Negro members of the Bogalusa Voters League, unable to exercise their civil rights and also unable to obtain from police officials adequate protection from the Klan, filed suit June 25, 1965, in the case of Hicks v. Knight ^{Civ. Ac. No. 15,727} in this Court. The complaint asks for an injunction requiring officers of the City of Bogalusa to open the public parks and to operate such parks without racial discrimination, and also requiring law enforcement officers of the City, Parish, and State to protect the Negro plaintiffs and other Negroes from physical assaults, beatings, harassment, and intimidation at the hands of white citizens. July 10, 1965, this Court issued an injunction in Hicks v. Knight enjoining certain city and parish law enforcement officers from failing to use all reasonable means to protect the Negro plaintiffs and others similarly situated from physical assaults and beatings and from harassment and intimidation preventing or discouraging the exercise of their rights to picket, assemble peaceably, and advocate equal civil rights for Negroes. The preliminary injunction is still in full force and effect. Even after this Court issued its order July 10, 1965, the defendant Klansmen continued to interfere with Negro citizens exercising civil rights and

Ralph Blumberg Exhibit No. 2--Continued

interfered with performance of the duties of law enforcement officials under the injunction in Hicks v. Knight.

(10) July 11, 1965, during a Negro march in downtown Bogalusa, defendants Randle Pounds, Klansman, H. A. Goings, Jr., Klansman, Franklin Harris, Klansman, and Milton E. Parker were present. Harris and Goings passed out 25-30 2x2 clubs to youths and Pounds stationed the youths along the march route. Parker was arrested by a City policeman along the route of march for disturbing the peace.

(11) Included in the exhibits are a number of handbills bearing the caption, "Published by the Original Ku Klux Klan of Louisiana". These are crude, scurrilous attacks on certain Bogalusa citizens who advocated a moderate approach to desegregation. For example, in one handbill an Episcopal minister is accused of lying for having said that he had received calls threatening to bomb his church; the minister's son is said to be an alcoholic, to have faced a morals charge in court, and to have been committed to a mental institution. The handbill adds:

"The Ku Klux Klan is now in the process of checking on Reverend _____'s [naming him] moral standards. If he is cleared you will be so informed. If he is not cleared, you will be informed of any and all misdeeds or moral violation of his in the past."

In the same handbill the Klan announced that it was "boycotting businesses which cater to integration such as Mobile Gas Stations, etc." Mobil Gas Station is a business competitor of the defendant, Grand Titan Saxon Farmer.

All of the handbills attempt to intimidate public officials, the Governor of Louisiana, the Congressman from the Sixth District, the Mayor of Bogalusa, and federal judges (by name). Sometimes the attempted intimidation is by threat of violence, sometimes by

Ralph Blumberg Exhibit No. 2—Continued

We quote,
character assassination. / For example:

- (a) "On numerous occasions we have been asked by local officials to refrain from any acts of violence upon this outside scum that has invaded our city. Being a christian organization, we have honored these requests each time. How much longer can we continue??? Contrary to what the liberal element would have you think, this memorandum is not the work of racist and hate mongers or trouble makers, as Governor 'Big John' McKeithen calls us. We are God fearing white, southerners who believe in constitutional government and the preservation of our American heritage.

"If your governor would have done the right thing to start with, he would have refused to protect these local and outside agitators and did just what one great southern governor did. He refused to protect this outside element, (CORE, NAACP, SNICK, ETC.), at the expense of his state. He chose, instead, to let LBJ and Katzenbach protect them. Only after the city of Bogalusa had spent \$96,000, did he (Big John McKeithen), make any effort to ease the situation in this city."

- (b) "As the people tried to preserve our Southern way of life, the Mayor and Council were slowly selling the people out at every turn. The Mayor has repeatedly GIVEN in. James Farmer did not have the support of the local Negroes. Mayor Cutrer is not giving the city of Bogalusa to the negro citizens of Bogalusa. No. He is giving the city to James Farmer and a handful of Negro Teenagers. NO PRESSURE was put on James Farmer and Dick Gregory to keep them out of Bogalusa. Not by the Mayor, the State Representative, the State Senator, or Congressman Morrison. This was not so when the WHITE CONSERVATIVES wanted to stage a Rally. Pressure was exerted from all levels, even the invited guest speakers were 'leaned on'.

"The Governor, the Congressman, Jimmy Morrison, or his com-rats, Suksty Rayborn, and Buster Sheridan. John McKeithen asked for our vote and promised to serve the PEOPLE. We now ask, Big John, isn't this TRUE? What is happening under your administration?

"Here is the list of elected officials who COULD & AND SHOULD have helped the People of Bogalusa. "All these should be tarred and feathered:

MAYOR JESSIE CUTRER
REPRESENTATIVE SHERIDAN
SENATOR SIXTY RAYBORN
SHERIFF DORMAN CROWE
CONGRESSMAN JIMMY MORRISON
GOVERNOR JOHN MCKEITHEN
SENATOR RUSSELL LONG "

"Now the QUESTION. Why have these men, elected by

Ralph Blumberg Exhibit No. 2--Continued

the WHITE people turned their back on us in our time of need?

"Is Communism so close? Who bought them? Who bought their HONOR and FOR HOW MUCH?"

- (c) "The Ku Klux Klan is strongly organized in Bogalusa and throughout Washington and St. Tammany Parishes. Being a secret organization, we have KLAN members in every conceivable business in this area. We will know the names of all who are invited to the Brooks Hayes meeting and we will know who did and did not attend this meeting. Accordingly, we take this means to urge all of you to refrain from attending this meeting. Those who do attend this meeting will be tagged as intergrationists and will be dealt with accordingly by the Knights of the KU KLUX KLAN."

E. Summary of the Facts. We find that the defendants have

admitted and the proof has shown that they intimidated, harassed, and otherwise interfered with (1) Negroes exercising their civil rights, (2) persons encouraging Negroes to assert their rights, and (3) public officials, police officers, and other persons seeking to accord Negroes their rights. These acts are part of a pattern and practice of the defendants to maintain total segregation of the races in Washington Parish. The pattern creates an effect extending beyond the effect of any particular act or practice. A Negro who is clubbed in a public park may fear to order coffee in a segregated sandwich shop or he may decide that it is the better part of valor not to exercise voting rights. The owner of the sandwich shop who receives threatening calls for having served Negro patrons may conclude that taking care of his family comes ahead of hiring Negro employees. The intimidation or violence may be effective not only as to the particular individual against whom it is directed but also as to others who may be less courageous than the Negroes brave enough to parade in Bogalusa or register to vote in Franklinton. The acts of terror and intimidation admitted or proved in this case, acts characteristic of a masked, secret conspiracy, can be halted only by a broad order enjoining the defendants

Ralph Blumberg Exhibit No. 2—Continued

from unlawfully interfering with the exercise of civil rights by Negro citizens.

III.

The defendants contend that the complaint fails to state a claim upon which relief can be granted. They start with the doctrine that the 14th and 15th Amendments apply only to state action or action under color of state law. A. This moves them as a matter of statutory construction, to conclude that Congress did not purport to enforce civil rights against private persons. Moreover, so they argue, the 1957 Act applies to "interference with interference with voting" not to "interference with registering". B. And, they say, if civil rights acts do authorize enforcement against private persons (not owners or managers of a place of public accommodation) the statutes are unconstitutional.

A.

(1) The Civil Rights Act of 1957. In the field of civil rights the problem of enforcement is more difficult than the problem of legislative definition. The choice of remedy determines whether an act of Congress simply declares a right or carries machinery for meaningful performance of the statutory promise. In the past, an obvious hiatus has been the lack of effective sanctions against private persons interfering with a citizen's exercise of a civil right. This lack may be explained by a number of reasons. (2) Con-

Ralph Blumberg Exhibit No. 2--Continued

gress has been reluctant to assert affirmatively by legislation its responsibility to protect the privileges and immunities of citizens of the United States, for fear of imperiling the balanced relationship between the states and the Nation. ¹¹ (b) Courts have

narrowly construed criminal sanctions available in Section 241 and 242 of Title 18. ¹² (c) Congress and the courts have been severely

limited by the doctrine of state action, in spite of the trend toward an expansive view of what is state action. ¹³ (d) Congress has been wary of using an equitable remedy in civil rights legislation.

The Constitution guarantees an accused in a criminal case the right to indictment by a grand jury and trial by a jury of the vicinage. Enforcement of civil rights through the use of an injunction and the contempt power of the courts would by-pass the jury system. ¹⁴

However, in communities hostile to civil rights and resentful against "outside", that is, federal interference, injunctive relief may be the most effective method of enforcing civil rights.

the pros and cons of these and many other issues when Congress considered ~~these and related constitutional issues~~

¹⁵ the Administration submitted an omnibus civil rights bill in 1956.

The focal issues--the contempt power, the jury system, and the relationship of the States with the Nation--produced one of the great debates in American parliamentary history. By the time the bill was cut down to a voting rights law, as the Civil Rights Act of 1957, 71 Stat.

16, Congress and the country thoroughly understood the significance of

¹⁶ the legislation. Congress had opened the door, then nearly shut, to national responsibility for protecting civil rights--created or guaranteed by the Nation--by injunction proceedings against private persons.

Part III of the Administration's bill, as originally proposed, would have authorized the Attorney General to file suit against any

Ralph Blumberg Exhibit No. 2--Continued

person who deprived or was about to deprive any citizen of any civil right. The compromise that became the Civil Rights Act of 1957 limits civil action to protection of voting rights in special, general, or primary elections where federal officers are elected.

Before the 1957 Act, Section 1971 (now 1971(a)) was enforced either by an action for damages under 42 U.S.C. §1983 and §1985(3) or by a criminal action under 18 U.S.C. §241, 242. The 1957 Act adds four subsections to Section 1971, including:

"b. No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"c. Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person." (Emphasis added.)

The House Report on the Act--there was no Senate Report-- clearly states the purpose of the amendments to 1971:

"This section adds new matter. The provision is a further declaration of the right to vote for Federal offices. It states clearly that it is unlawful for a private individual as well as one acting under color of law to interfere or attempt to interfere with the right to vote at any general, special, or primary election concerning Federal offices. This amendment, however, does not provide for a remedy. However, the succeeding subsection of the amendment, which is designated subsection (c),

Ralph Blumberg Exhibit No. 2--Continued

does provide a remedy in the form of a civil action instituted on the part of the Attorney General." House Report No. 291, to accompany H.R. 6127, U.S. Code Cong. and Adm. News 1966, 1977 (1957) (Emphasis added)

Although Congress narrowed the subject matter of the statute to voting rights, there is nothing narrow about the scope of the Act as to interference with voting rights. The statute is not limited to physical acts or to direct interference with the act of voting but applies to--

"any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b). . ."

The statute applies to "any person" who shall--

"intimidate, threaten, coerce or attempt to intimidate, threaten or coerce for the purpose of interfering with the right of such person to vote."

There is no doubt that this language applied to private individuals. And there is very little doubt that the Act protects the right to register and to engage in activities encouraging citizens to register. As discussed more fully elsewhere, registration is an integral, indispensable part of the voting process. It is also a stage that is vulnerable to abuse by the registrar or to unlawful conduct by private persons. Ever since the Supreme Court outlawed the "white" primary, it has been apparent that the main battleground in the war over Negro suffrage would be the registration office. See, for example, the description of the activities of the Citizens Councils and parish registrars in *United States v. Louisiana*, E.D.La. 1963, 225 F. Supp. 353, 378-80. Congress was well aware that a major mischief to be combatted in the 1957 Act was economic coercion and threats of intimidation by private persons that would deny or interfere with the Negro's access to registration.

More often than not, the economic coercion and intimidation by private persons are triggered by an educational campaign to encourage registration. *United States v. Beatty*, 6 Cir. 1961, 288 F. 2d 653 is a case in point. The case arose in Haywood

Ralph Blumberg Exhibit No. 2--Continued

County, Tennessee, a county in which no Negroes were registered to vote. In the spring of 1959, a newly formed Civic and Welfare League, apparently similar to the Bogalusa Voters League, initiated a campaign in Haywood and in Fayette Counties to encourage Negroes to register. This led to the institution of a "white" primary in Fayette; later prohibited by a consent decree in April, 1960. In the face of a renewed registration drive, white businessmen in both counties retaliated by circulating a "blacklist" containing the names of the Negroes who registered and white citizens who assisted them. The businessmen induced local merchants to boycott anyone whose name appeared on the list, by denying credit and the right to buy necessities through the usual business relations. White landowners evicted sharecroppers and tenant farmers who had registered or whose names appeared on the blacklist. The Attorney General sued the businessmen and landowners, under Section 1971, for immediate injunctive relief. The district judge granted a restraining order enjoining the businessmen from "interfering through intimidation and/or coercion", but refused to enjoin the landowners on the ground that the Civil Rights Act did not vest the court with authority "to adjudge contracts and property rights". 6 Race Rel. L. Rep. 200. The Sixth Circuit affirmed the judgment as to the businessmen and extended the injunction to the landlords.

In East Carroll Parish, Louisiana, cotton growers refused to gin cotton for Negro farmers who had attempted to register to vote. The Attorney General again sued under the 1957 Act. Judge Dawkins granted a restraining order, as preventive relief, against owners, operators, and managers of cotton gin businesses and certain other businesses. The Court restrained the defendants from "refusing to gin . . . refusing to sell goods or services, and to conduct ordinary business transactions with, any person for the purpose of discouraging or dissuading such person from attempting to vote and . . . engaging

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in any attempted threats, intimidations, or coercion of any nature, whether economic or otherwise". United States v. Deal, W.D.La. 1961, 6 Race Rel. L. Rep. 474.

The parallel between the defendants' intimidation by and economic coercion in Beatty/ in Deal, and the defendants' boycott and other activities in this case is too patent to be spelled out. Beatty and Deal also illustrate a principle of enormous importance in the enforcement of civil rights: acts otherwise lawful may become unlawful and be enjoined under Section 1971, if the purpose and effect of the acts is to interfere with the right to vote.

In United States v. Board of Education of Greene County, Mississippi, 1964, 332 F. 2d 40, the Fifth Circuit affirmed the holding below that the government failed to prove that the alleged intimidation was for the purpose of interfering with the right to vote. But, as Judge Tuttle explained in United States v. Bruce (not yet reported, decided Nov. 16, 1965, No. 22028), the Court in the Greene County case assumed:

"Whereas a school board might, under the circumstances present in that case, have legally failed to renew a teacher's contract for any reason or for no reason at all, if it in fact declined to renew the [teacher's] certificate as a means of coercing or intimidating the teacher as to her right to vote, such conduct would be prohibited under the Act."

In United States v. Bruce twenty-eight white persons in Wilcox County, Alabama, notified Bonnie Brown, a Negro insurance collector, to stay off land owned or controlled by them.

Ralph Blumberg Exhibit No. 2—Continued

As a result Brown could not reach many of his policy-holders. Brown had been active in urging his Negro neighbors and friends to register to vote in Wilcox County, a county where no Negroes were registered. The Court held that the trial court erred in dismissing the complaint:

"The background allegations make a strong case upon which the trial court could infer the correctness of the conclusionary allegations that these defendants did in fact 'intimidate and coerce' the Negro citizens of Wilcox County, through the person of Lonnie Brown, for the purpose of interfering with their right to vote."²³

We hold that the Civil Rights Act of 1957 applies to private persons, including the defendants impleaded in this case. We hold that the Act applies to interfering with the right to register as well as interfering with the right to vote; that the Act protects Negro citizens against the coercion, intimidation, and violence the defendants admitted or were proved to have committed in this case.

(2) The Civil Rights Act of 1964. The '64 Act creates new categories of civil rights and extends the authority of the Attorney General to protect such rights by a civil suit for injunctive relief against any person, public or private.

Ralph Blumberg Exhibit No. 2--Continued

For purposes of this proceeding, the most pertinent provisions are those relating to (a) places of public accommodation, (b) equal employment opportunities, and (c) public facilities. As clearly as words can say, these provisions reach any person and any action that interferes with the enjoyment of civil rights secured by the Act. Thus, 42 U.S.C. §2000a-2 of Title II, is not limited to prohibiting discrimination or segregation by the owner or manager of a place of public accommodation. The section provides:

"No person shall (a) withhold, deny, or attempt to withhold or deny, or deprive or attempt to deprive, any person of any right or privilege secured by section 2000a or 2000a-1 of this title, or (b) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person with the purpose of interfering with any right or privilege secured by section 2000a or 2000a-1 of this title, or (c) punish or attempt to punish any person for exercising or attempting to exercise any right or privilege secured by section 2000a or 2000a-1 of this title."

And to enforce the law, Section 2000a-5 (a) allows the Attorney General to sue "any person or group of persons":

"Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this subchapter, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights herein described, the Attorney General may bring a civil action requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights herein described." [Emphasis supplied.]

Section 2000a-6 of Title VII, relating to equal employment opportunities, tracks the language of Section 2000a-5(a).

This suit is not one to desegregate public facilities under Title VII of the Act. However, Section 2000-b is relevant, since it demonstrates again the broad Congressional objective of authorizing the Attorney General to sue as defendants "such parties as are or

Ralph Blumberg Exhibit No. 2—Continued

become necessary to the grant of effective relief". The defendants' interference with the right of Negroes to use public facilities in Bogalusa is relevant to the cause of action, for that interference was part of a pattern and practice of total resistance to the Negroes' exercise of civil rights.

(3) In sum, in the Civil Rights Acts of 1957 and 1964, Congress recongnized that when a Negro is clubbed or coerced for having attempted to register or for having entered a "white" restaurant, the action most likely to produce effective relief is not necessarily for the Negro to complain to the local police or to sue for damages or to make charges under 18 USC 241, 242. The most effective relief for him and for all others affected by the intimidation may be an injunction by the Nation against the private persons responsible for interfering with his civil rights.

Effectiveness of remedy is not the only reason for the Congressional grant of authority to the Attorney General of the United States. The Nation has a responsibility to supply a meaningful remedy for a right it creates or guarantees. As Justice Story wrote, in sustaining the constitutionality of the Fugitive Slave Act of 1793:

"If, indeed, the constitution guarantees the right, and if it requires the delivery [of the fugitive slave] upon the claim of the owner . . . , the natural inference certainly is, that the national government is clothed with the appropriate authority and functions to enforce it. The fundamental principle, applicable to all cases of this sort, would seem to be, that when the end is required, the means are given. . . ." *Prigg v. Pennsylvania*, 1842, 41 U.S. (17 Pet.) 539, 614.

It is one thing when acts are mere invasions of private rights; "it is quite a different matter when Congress undertakes to protect the citizen in the exercise of rights conferred by the Constitution of the United States essential to the healthy organization of the government itself". *Ex parte Yarbrough*, 1884, 110 U.S. 651, 665, 4 S.Ct. 152, 28 L.Ed. 274. We turn now to the defendants' constitutional arguments.

Ralph Blumberg Exhibit No. 2—Continued

B.

The defendants' constitutional arguments rest on a misunderstanding of the constitutional sources for the Civil Rights Acts of 1957 and 1964.

(1) The Civil Rights Act of 1957: Protection of Right to Vote From Unlawful Interference.(a) In upholding the constitutionality of the voting provisions of the 1957 Act, we need not consider the Civil War Amendments. Section 1971 (b), here enforced under 1971 (c), is limited to prohibiting interference with the right to vote in elections for federal office. Article I, Section 4 of the Constitution is an express grant of authority to Congress to regulate federal elections:

"The times, places and manner of holding elections for senators and representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by Law make or alter such regulations, except as to the places of choosing Senators."

As the House Committee pointed out in its report on the *United States v. Classic*, 1941, 313 U.S. 299, 61 S. Ct. 1031, L.Ed. 1368, "establishes the authority in Congress to legislate concerning any and all elections affecting federal officers, whether general, special, or primary, as long as they are an integral part of the procedure of choice or where in fact the primary effectively controls their choice." U.S.Code Cong. and Admin. News, 85 Cong. 1957, p. 1977. The Supreme Court said, in assie:

"While, in a loose sense, the right to vote for representatives in Congress is sometimes spoken of as a right derived from the states, [citations omitted] this statement is true only in the sense that the states are authorized by the Constitution, to legislate on the subject as provided by §2 of Art. I, to the extent that Congress has not restricted state action by the exercise of its powers to regulate elections under §4 and its more general power under Article I, §8, clause 18 of the Constitution 'to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.'"

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(b) Under the "sweeping clause", Article I, Section 8, Clause 18, Congress may enact all laws "necessary and proper" to carry out any of its powers, including, of course, its power to regulate federal elections. This provision leaves to Congress the choice of the means to execute its powers. "Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution are constitutional". *McCulloch v. Maryland*, 1819, 4 Wheat. 316, 421.

"There is little regarding an election that is not included in the terms 'time, place and manner of holding it'". *United States v. Munford*, 1833, C. C., E.D.Va., 16 F. 223. The Supreme Court has said:

"It cannot be doubted that these comprehensive words embrace authority to provide a complete code for congressional elections, not only as to times and places, but in relation to notices, registration, supervision of voting, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and making and publication of election returns; in short, to enact the numerous requirements as to procedure and safeguards which experience shows are necessary in order to enforce the fundamental right involved." *Smiley v. Holm*, 1932, 285 U.S. 355, 366, 76 L.Ed. 795.

Two facts make it appropriate for Congress to reach registration as part of the "manner of holding elections".

First, registering is a prerequisite to voting. Second, registration is a process for certifying a citizen as a qualified voter in both federal and state elections. A law protecting the right to vote could hardly be appropriate unless it protected the right to register. In Classic language, registering is a "necessary step" and "integral" in voting in "elections". In Classic, "interference with the effective choice of the voters" in a Louisiana Democratic primary was interference "at the only stage

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of the election procedure when their choice is of significance".

Here, in terms of a meaningful right to vote, interference with

Negro citizens' registering is interference at the most critical

It is true of course that

stage of the election procedure./ the framers of the Constitution

neither they

did not know about the registration process; but/they did/not have

in mind the selection of senators and representatives by the

direct primary. In United States v. Louisiana, E.D.La. 1963,

on other grounds,

225 F. Supp. 353, 359, aff'd./1965, 380 U.S. 145 this Court

said:

"Congressional authority [under Article I, §4] extends to registration, a phase of the electoral process unknown to the Founding Fathers but today a critical, inseparable part of the electoral process which must necessarily concern the United States, since registration to vote covers voting in federal as well as in state elections.

In United States v. Manning, W.D.La. 1963, 215 F. Supp. 272, one

of the constitutional attacks on the Civil Rights Act of 1960 was

directed at the provision for federal registrars. In the opinion

upholding the act, the Court considered it important that--

"For purposes of accomplishing the constitutional objective the electoral process is indivisible. The act of casting a ballot in a voting booth cannot be cut away from the rest of the process. It is the last step in a process that starts with registration. Similarly, registration is an indivisible part of elections. . . . There is no separate registration for federal elections. Any interference with the qualified voter's right to register is therefore interference with a federal election." 215 F. Supp. at 283.

(c) Classic relied on three important cases that construe the

nature and extent of the power of Congress to regulate federal

elections: Ex parte Siebold, 1880, 100 U.S. 371, 25 L.Ed. 717;

Ex parte Yarbrough, The Ku Klux Klan cases, 1884, 110 U.S. 651,

4 S.Ct. 152, 28 L.Ed. 274; and Burroughs v. United States, 1934,

290 U.S. 534, 54 S.Ct. 287, 78 L.Ed. 485. ~~These~~ These cases

Ralph Blumberg Exhibit No. 2—Continued

point to the principle that a congressional statute protecting against private interference before the voting stage is necessary and proper legislation under Article I, Section 4, whenever it is reasonably related to "protection of the integrity" of the federal electoral process. Classic, 313 U.S. at 316.

Ex parte Siebold involved a conviction of state election officers for ballot-stuffing in a federal election. The Court had before it the Enforcement Act from which Section 1971 was derived. The statute contained a number of extensive voting and registration regulations, including a provision for the appointment of federal election supervisors. These supervisors were authorized "to cause such names to be registered as they may think proper to be so marked". In sustaining the validity of the legislation under Article I, Section 4, the Court commented:

"It is the duty of the States to elect representatives to Congress. The due and fair election of these representatives is of vital importance to the United States. The government of the United States is no less concerned in the transaction than the State government is. It certainly is not bound to stand by as a passive spectator, when duties are violated and outrageous frauds are committed. It is directly interested in the faithful performance, by the officers of election, of their respective duties. Those duties are owed as well to the United States as to the State."
100 U.S. 388

In Yarborough the Court had before it the question whether Congress could protect civil rights against private interference, specifically klan aggression in the form of intimidation of voters. Yarborough and eight other members of a Georgia klan were indicted for conspiring to intimidate a Negro in the exercise of his right to vote for a congressional representative. It was shown that they used physical violence and that they went in disguise upon the public highways. They were convicted under the section of the Enforcement Act of 1870, Revised Statutes Section 5508, ^{that was} the predecessor of 18 U.S.C. §241; and/Section 5520. These are the ^{also under}

Ralph Blumberg Exhibit No. 2--Continued

criminal law counterpart to 42 U.S.C. 1971. The Act forbade two or more persons "to conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to by the Constitution or laws of the United States" or to "go in disguise on the highway, or on the premises of another, with intent to prevent or hinder [such citizen in] his free exercise or enjoyment" of any such right; or to "conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote" from voting for presidential electors or members of Congress. Justice Miller, in a powerful opinion for the Court, sustained the conviction and held the statute valid. The opinion made it clear that the right to vote in federal elections is a privilege of national citizenship derived from the Constitution. Congress therefore "can by law protect the act of voting, the place where it is done and the man who votes, from personal violence or intimidation, and the election itself from corruption or fraud." Nor does it matter that state and federal offices are elected in the same election. The congressional powers are not "annulled because an election for state officers is held at the same time and place". 110 U.S. at 660.

The heart of the Yarborough decision is the Court's emphasis on the transcendent interest of the federal government.²⁷ The violence and intimidation to which the Negro was subjected were ^{they} important because ~~it~~ alloyed the purity of the federal political process. The federal government "must have the power to protect the elections on which its existence depends from violence and corruption". 110 U.S. at 658. This implied power arises out of governmental necessity. The Court said:

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"The power in either case arises out of the circumstance that the function in which the party is engaged or the right which he is about to exercise is dependent on the laws of the United States.

"In both cases it is the duty of that government to see that he may exercise this right freely and to protect him from violence while so doing or on account of so doing. This duty does not arise solely from the interest of the party concerned, but from the necessity of the government itself, that its service shall be free from the adverse influence or force and fraud practiced on its agents, and that the votes by which its members of Congress and its President are elected shall be the free votes of the electors, and the officers thus chosen the free and uncorrupted choice of those who have the right to take part in that choice."

Since it is the purity of the federal political process that must be protected, the protection may be extended against interference with any activity having a rational relationship with the federal political process. Thus, the "rationale of Yarbrough indicates congressional power over voting, though limited to federal elections, extends to voter registration activities", including registration rallies, voter education classes, and other activities intended to encourage registration.

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Burroughs is one of a number of cases dealing with corrupt election practices which go far beyond the act of voting in an election. *Federal corrupt practice laws*
These ~~laws~~ operate on the campaigning stage rather than the voting stage and apply to private persons having no part in the election machinery. In Burroughs the contention was made that under Article II, Section 1 the states control the manner of appointing presidential electors; Congress is limited to prescribing the time of choosing electors and the day on which they cast their votes. In upholding the validity of the Federal Corrupt Practices Act of 1925, the Court, relying on Yarbrough, said:

"While presidential electors are not officers or agents of the federal government . . . , they exercise federal functions under, and discharge

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duties in virtue of authority conferred by, the Constitution of the United States. The president is vested with the executive power of the nation. The importance of his election and the vital character of its relationship to and effect upon the welfare and safety of the whole people cannot be too strongly stated. To say that Congress is without power to pass appropriate legislation to safeguard such an election from the improper use of money to influence the result is to deny to the nation in a vital particular the power of self-protection. Congress undoubtedly, possesses that power, as it possesses every other power essential to preserve the departments and institutions of the general government from impairment or destruction, whether threatened by force or by corruption." 110 U.S. at 545

The states' power over the manner of appointing presidential electors is similar to the states reserved power to establish voting qualifications. Notwithstanding this unquestioned power in the states, Burroughs holds that 'Congress' has the implied power to protect the integrity of the processes of popular election of presidential electors once that mode of selection has been chosen by the state." There is an obvious parallel between corruption of the federal electoral process by the use of money and corruption of the same process by acts of violence and intimidation that prevent voters from getting on the registration rolls or, indeed, from ever reaching the registration office.

Classic involved federal indictments against state election commissioners for falsely counting ballots in a Democratic party primary. The Court held that under Article I, Section 4 and the necessary and proper clause, Congress had the implied power to regulate party primaries. The "interference (was) with the effective choice of voters at the only stage when their choice is of significance. . . . The primary in Louisiana is an integral part of the procedure for the popular choice of Congressmen". The right to choose is a right "secured by the Constitution". 313 U.S. at 314.

Ralph Blumberg Exhibit No. 2—Continued

Moreover, "since the constitutional command is without restriction or limitation, the right, unlike those guaranteed by the Fourteenth and Fifteenth Amendments, is secured against the action of individuals as well as of states." *Ib.* at 315 Mr. Justice Stone, for the Court, spelled out the rationale:

"The right to participate in the choice of representatives for Congress . . . is protected just as the right to vote at the election, where the primary is by law made an integral part of the election machinery. . . . Unless the constitutional protection of the integrity of 'elections' extends to primary elections, Congress is left powerless to effect the constitutional purpose. . . ." 313 U.S. at 318, 319.

The innumerable cases in this Circuit involving civil rights speak eloquently against the use of economic coercion, intimidation, and violence to inhibit Negroes from applying for registration. This interference with nationally guaranteed rights, whether by public officials or private persons corrupts the purity of the political process on which the existence and health of the National Government depend. No one has expressed this better than Judge Rives in *United States v. Wood*, 5 Cir. 29 1961, 295 F.2d 772; cert. denied 369 U.S. 850(1962). In *Wood* the inter-organizer²⁹ interference was in the form of groundless prosecution of a Negro/who had set up a registration school in Walthall County, Mississippi, where no Negro had ever registered. He was not even qualified to vote in the county where the intimidatory acts occurred; he was a resident of another county. In reversing the district judge's refusal to stay the state prosecution, the Fifth Circuit noted that the alleged coercion was of the kind the 1957 Act was intended to reach. Judge Rives, for the Court, said:

"The foundation of our form of government is the consent of the governed. Whenever any person interferes with the right of any other person to vote or to vote as he may choose, he acts like a political termite to destroy a part of that foundation. A single termite or many termites may pass unnoticed, but each damages the foundation, and if that process is allowed to continue the whole structure may crumble and fall even before the occupants become aware of their peril. Eradication of political termites, or at least checking their activities, is necessary to prevent irreparable damage to our Government."

Ralph Blumberg Exhibit No. 2--Continued

We hold that the defendants' acts of economic coercion, intimidation, and violence directed at Negro citizens in Washington Parish for the purpose of deterring their registering to vote strike at the integrity of the federal political process. The right to vote in federal elections, a privilege of national citizenship secured by the United States Constitution, includes the right to register to vote. The right to register to vote includes the right to be free from public or private interference with activities rationally related to registering and to encouraging others to register.

(2) The Civil Rights Act of 1964: Public Accommodation.

The Supreme Court has upheld the constitutionality of Title II as it applies to motels and restaurants. *Atlanta Motel v. United States*, 1964, 379 U.S. 241, 85 S. Ct. 348, 13 L.Ed. 2d 258; *Katzbach v. McClung*, 1964, 379 U.S. 294, 85 S. Ct. 377, 13 L.Ed. 2d 290.

The defendants are left, therefore, only with the contention that the Act, for reasons not articulated, should not reach private persons.

The defendants are really arguing against the judgment of Congress in selecting injunctive relief against private persons as one method of enforcing congressional policy. Once it is conceded that Congress has the power, under the commerce clause, to forbid discrimination in public places, there is little doubt that injunctive relief against any person seeking to frustrate the statutory objective is appropriate.

In this Circuit, relying on *In re Debs*, 1895, 158 U.S. 564, 15 S. Ct. 900, 39 L. Ed. 1092, the courts have held that when private persons burden commerce to the detriment of the national interest, the Nation may enjoin such persons even without enabling legislation. On two occasions courts have issued

Ralph Blumberg Exhibit No. 2—Continued

injunctions against klans and klansmen engaged in intimidation and violence burdening commerce. United States v. U.S. Klans, M.D.Ala. 1961, 194 F. Supp. 897; Plummer v. Brock, M.D.Fla. 1964, 9 R.Rel.L. Rep. 1399. See also United States v. City of Jackson, 5 Cir. 1963, 318 F.2d. 1.

(3) The Civil Rights Act of 1964: Equal Employment Opportunities. Title VII, like Title II, is based upon the commerce clause. The term "industry affecting commerce" used in Title VII parallels the definition of "industry affecting commerce" in the LMRDA (29 U.S.C. 402 (c)). This in turn incorporates the definition of "affecting commerce" in the NLRA (29 U.S.C. 152 (7)). The National Labor Relations Act represents an exercise of congressional regulatory power to "the fullest jurisdictional breadth constitutionally permissible under the Commerce Clause," NLRB v. Reliance Fuel Corp., 1963, 371 U.S. 224, 226; Polish National Alliance v. NLRB, 1944, 322 U.S. 643, 647, a conclusion equally applicable to Title VII.

The sweeping regulations in the NLRA and LMRDA covering the terms, conditions, and policies of hiring and bargaining do not differ in any essential respect from this legislation prohibiting discrimination in hiring practices and on the job assignments. The employer-employee relationship has, of course, direct effect upon the production of industries which are in commerce and upon the practical utilization of the labor force and the power of Congress to regulate these activities cannot be doubted. NLRB v. Jones & Laughlin Steel Corp., 1936, 301 U.S. 1; NLRB v. Fainblatt, 1939, 306 U.S. 601, 606; Mabee v. White Plains Publishing Co., 1946, 327 U.S. 178.

Defendants admit that they beat and threatened Negro pickets to prevent them from enjoying the right^{of} equal employment opportunity.

Ralph Blumberg Exhibit No. 2--Continued

The effect of course is to prevent Negroes from gaining free access to potential employers. Such acts not only deter Negroes but intimidate employers who might otherwise wish to comply with the law but fear retaliation and economic loss. This is precisely what the klan's Boycott Rules are designed to do.

* * *

The United States has alleged, the defendants have admitted, and the proof has shown that the defendants have intimidated, harassed, and in other ways interfered with the civil rights of Negroes secured by the Constitution. The admission and proof show a pattern and practice of interference.

Protection against the acts of terror and intimidation committed by the Original Knights of the Ku Klux Klan and the individual defendants can be halted only by a broad injunctive decree along the lines of the order suggested by the United States. ³⁰
The Court will promptly issue an appropriate order.

Solomon Wisnom
UNITED STATES CIRCUIT JUDGE
Stephen W. Livingston
UNITED STATES DISTRICT JUDGE.
James C. [unclear]
UNITED STATES DISTRICT JUDGE

Ralph Blumberg Exhibit No. 2—Continued

United States of America v. Original Knights of the Ku Klux Klan, et als.

Civil Action No. 15793

FOOTNOTES

* Although this order is cast in the form of an opinion, it represents the Court's findings of fact and conclusions of law.

1. Counsel for the individual defendants take the position that the defendant klan does not exist. The proof shows that the klan continues to exist and to function as a klan in the benign name of the "Anti-Communist Christian Association". See Section II, A of this opinion.
2. Report of the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States (Wash. 1872), p. 28. (Majority Report.)
3. Testimony of General Forrest before the Joint Select Committee. Note 2, p. 6-14, 449-51.
4. In January 1869 General Forrest issued an order to disband which began "Whereas, the order of the Ku Klux Klan is in some localities being perverted from its original honorable and patriotic purposes..." Davis, Authentic History: Ku Klux Klan, 125-28, (N. Y. 1928); Carter, The Angry Scar, 216 (N. Y. 1959).
5. "There is no doubt about the fact that great outrages were committed by bands of disguised men during those years of lawlessness and oppression. The natural tendency of all such organizations is to violence and crime; hence it was that General Forrest and other men of influence in the state, by the influence of their moral power, induced them to disband." Report of the Joint Select Committee, Note 2, p. 463. (Minority Report.)
6. In United States v. Raines, 1959, 362 U.S. 17, 27, 80 S. Ct. 519, 4 L.Ed. 524 upholding the constitutionality of the Civil Rights Act of 1957 in a suit on behalf of private persons against public officials, the Court said: "It is urged that it is beyond the power of Congress to authorize the United States to bring this action in support of private constitutional rights. But there is the highest public interest in the due observance of all the constitutional guarantees, including those that bear the most directly on private rights, and we think it perfectly competent for Congress to authorize the United States to be guardian of that public interest in a suit for injunctive relief."
7. The parishes of Washington, Tangipahoa, St. Tammany, St. Helena, Livingston, Ascension, East Feliciana, West Feliciana, East Baton Rouge, West Baton Rouge, Pointe Coupee, and Iberville.
8. Aff'd. sub. nom. United States v. Thomas 1962, 362 U.S. 58 S.Ct. L.Ed.

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9. On two occasions, the Court found it necessary to warn the witnesses of the penalty for perjury. The Court recessed the hearing to allow time for the witnesses to refresh their recollection, and to find, if possible, any membership lists. On one occasion, a witness pleaded the 5th Amendment when, in a colloquy with the Court, it was apparent that he was afraid of klan reprisal for testifying as to klan records; he withdrew his plea of privilege and testified.
10. Romans, Chap. II, v. 10-11.
11. See *United States v. Cruikshank*, 1875, 92 U.S. 542, 23 L.Ed. 588; *Slaughter-House Cases*, 1873, 16 Wall 36, 21 L.Ed. 394.
12. In 1894 Congress repealed most of the provisions dealing with federal supervision of elections. Two general provisions for criminal sanctions were left standing: 42 U.S.C. §241 (originally Section 6 of the Civil Rights Act of 1870, later Section 5508 of the Revised Statutes) providing criminal sanctions against conspiracies to deprive any citizen of any right secured by the Constitution and laws of the United States; and 42 U.S.C. §242 (originally Section 2 of the Civil Rights Act of 1866, later Section 5510 of the Revised Statutes (1873), as amended in 1909, 35 Stat. 1092 by adding the word "wilfully") providing criminal sanctions against the deprivation of constitutional rights, privileges, and immunities under color of state law. See *United States v. Williams*, 1951, 341 U.S. 70, 71 S.Ct. 581, 95 L.Ed. 758 restricting Section 241 to those cases in which the right allegedly violated is an incident to national citizenship. See also *Screws v. United States*, 1945, 325 U.S. 91, 65 S.Ct. 1031, 89 L.Ed. 1495 construing Section 242 as requiring specific intent to deprive a person of the right made specific by the Constitution or laws of the United States. Sections 241 and 242 are now before the Supreme Court again. *United States v. Price*, Nos. 59, 60, October Term, 1965; *United States v. Quest*, No. 65, October Term, 1965.
13. See *Civil Rights Cases*, 1883, 109 U.S. 3, 3 S.Ct. 18, 27 L.Ed. 335; *United States v. Reese*, 1876, 92 U.S. 214, 23 L.Ed. 478.
14. Hence the compromise affecting jury trials in the 1957 Act: criminal contempt cases arising under the act may be tried by District courts without juries, except where a person convicted is fined more than \$300 or imprisoned for more than 6 months. 71 Stat. 538 (1957), 42 U.S.C. 1995.
15. President Truman's Committee on Civil Rights submitted equally broad recommendations. See Report, To Secure These Rights, 151-161 (1947).
16. In a hearing before the House Judiciary Committee on the Civil Rights Bill, Attorney General Herbert Brownell explicitly explained the purposes and scope of the proposed amendments to Section 1971 of Title 42:
- "The most obvious one of these defects in the law is that it does not protect the voters in Federal elections from unlawful interference with their voting rights by private persons--in other words, 1971 applies only to those who act 'under color of law'

Ralph Blumberg Exhibit No. 2--Continued

which means public officials, and the activities of private persons and organizations designed to disenfranchise voters in Federal or State elections on account of race or color are not covered by the present provisions of 1971. And so we say that the statute fails to afford the voters full protection from discrimination which was contemplated by the Constitution, especially the 14th and 15th amendments.

"Also this section 1971 is defective in another respect, because it fails to lodge in the Department of Justice and the Attorney General any authority to invoke civil remedies for the enforcement of voting rights. And it is particularly lacking in any provision which would authorize the Attorney General to apply to the courts for preventive relief against the violation of these voting rights.

"And we think that this is also a major defect. The ultimate goal of the Constitution and the Congress is the safeguarding of the free exercise of the voting right, acknowledging of course, the legitimate power of the State to prescribe necessary and fair voting qualifications. And we believe that civil proceedings by the Attorney General to stop any illegal interference and denial of the right to vote would be far more effective in achieving this goal than the private suits for damages which are presently authorized by the statute, and far more effective than the criminal proceedings which are authorized under other laws which, of course, can never be used until after the harm has been actually done.

"No preventive measures can be brought under the criminal statutes. So I think--and I believe you will agree with me--that Congress should now recognize that in order to properly execute the Constitution and its amendments, and in order to perfect the intended application of the statute, section 1971 of title 42, United States Code, should be amended in three respects:

"First, by the addition of a section which will prevent anyone, whether acting under color of law or not, from threatening, intimidating or coercing an individual in his right to vote in any election, general, special, or primary, concerning candidates for Federal office.

"And second, to authorize the Attorney General to bring civil proceedings on behalf of the United States or any aggrieved person for preventive or

Ralph Blumberg Exhibit No. 2—Continued

other civil relief in any case covered by the statute.

"And third, an express provision that all State administrative and judicial remedies need not be first exhausted before resort to the Federal courts." [Hearings before Subcommittee No. 5 of the Committee on the Judiciary, 85th Cong. 1st Sess., p. 570 (1957)]

7. Section 1971(a) derived from the Civil Rights Act of 1870, defined voting rights as follows:

"(a) All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding".

8. See Section III, B, (1), (b) of opinion.

9. See Key, Southern Politics 555(1949); Civil Rights Commission report 133-38(1961).

10. In a note, Beatty, Private Economic Coercion and the Civil Rights Act of 1957, 71 Yale L. Jour. 536, 543(1962), the author points out:

"The Circuit Court's construction of the 1957 act to apply to economic coercion in general and to economic coercion involving contract and property rights in particular seems correct. In requesting legislation to protect voting rights, President Eisenhower noted: 'It is disturbing that in some localities allegations persist that Negro citizens are being deprived of their right to vote and are likewise being subjected to unwarranted economic pressures.' Senator Douglas, a sponsor of the bill, asserted that the legislation was directed at denials of voting rights 'by economic pressure' as well as by other means. And Representative Celler, a House sponsor, indicated that if 'the milk dealer, the coal dealer, the butcher, the baker and the candlestick maker . . . agree . . . to boycott' persons who try to vote, the agreement would violate the proposed law."

11. The Attorney General brought a similar suit to enjoin "intimidation, threat, and coercion" in Fayette County. United States v. Atkinson, et als, Civ.Ac. 4121, 6 R. Rel. L. Rep. 200(1962). See Anderson, Discrimination (Pren.Hall 1962) 21. And see United States v. Ellis, W.D.S.C. 1942, 43 F. Supp. 321, 324.

Ralph Blumberg Exhibit No. 2—Continued

22. The Sixth Circuit said:

"If sharecropper-tenants in possession of real estate under contract are threatened, intimidated or coerced by the landlords for the purpose of interfering with their rights of franchise, certainly the fact that the coercion relates to land or contracts would furnish no excuse or defense to the landlord for violating the law." 288 F. 2d 653, 656.

23. Judge Tuttle added:

"Thus, although the defendants here may have had an almost restricted right to invoke the Alabama trespass law to keep all persons from entering upon their property after warning, in the exercise of a desire to exercise exclusive ownership and proprietary interest in their property, they could not legally invoke the right of excluding Lonnie Brown, who had previously been given free access to the property, as a threat or means of coercion for the purpose of interfering with his right or the right of others whom he represented in exercising their right to register and vote."

24. The Supreme Court has affirmed the constitutionality of various provisions of the 1957 Act on other grounds than those at issue here. *United States v. Thomas*, 1960, 362 U.S. 58, 80 S.Ct. 612, 4 L.Ed. 2d 535; *United States v. Raines*, 1960, 362 U.S. 17, 80 S.Ct. 519, 4 L.Ed. 2d 524; *Hannah v. Larche*, 1960, 363 U.S. 420, 80 S.Ct. 1502, 4 L.Ed. 2d 1307.

25. Although a statute that is "necessary and proper" legislation to carry out the power of Congress to regulate elections for federal office may also be "appropriate legislation" to "enforce" the provisions of the 15th, 14th, and 13th amendments. The predecessor of Section 1971(a) withstood attack on constitutional grounds. In *re Engle*, 8 Fed. Cas.C.C.D.Md. 1877, 716, No. 4,488. It was held to be a valid exercise of congressional power under the 15th Amendment. *Chapman v. King*, 5 Cir. 1946, 154 F.2d 460, cert.denied, 327 U.S. 800; *Kellogg v. Warmouth*, C.C.D.La. 1872, 14 Fed.Cas. 257, No. 7,667.

The Voting Rights Act of 1965 rests, in part, on Section 2 of the 15th Amendment.

26. "An abundance of judicial dicta and holdings in analogous situations make clear that the federal power to regulate elections extends equally to the registration process. Any matter affecting the character or choice of the federal electorate is so integrally related to the election ultimately held as to come within the 'holding' of the election under article I, section 4." *Van Alstyne, Anti-literacy Test Legislation*, 61 Mich. L. Rev. 805, 815(1963).

Ralph Blumberg Exhibit No. 2—Continued

28. Comment, Federal Civil Action Against Private Individuals for Crimes Involving Civil Rights, 74 Yale L.Jour. 1462, 1470(1965). And see Maggs and Wallace, Congress and Literacy Tests, 27 Duke L. & Cont.Prob. 510, 517-521(1962).

29. In that case Hardy, a Negro resident of Tennessee, a member of the "Student Non-Violent Coordinating Committee", was in Walthall County, Mississippi for the purpose of organizing Negroes of that county to register and vote. Hardy engaged in an argument with the registrar. The registrar ordered him to leave the office. As he got to the door, the registrar struck him on the back of the head with a revolver. Hardy was arrested and charged with a breach of the peace. The Court hurdled (1) the fact that Hardy was not eligible to register and therefore his right to vote was not interfered with; (2) the appeal was from a denial of a request for a temporary restraining order, generally an unappealable order under 28 U.S.C. 1291, 1292; (3) the prosecution was a state criminal court proceeding, protected by the doctrine of comity and Section 2283 severely restricting federal injunctions of state proceedings.

30. The Court finds that on the admissions and on the evidence adduced at the hearing, a preliminary injunction should not issue against Charles Ray Williams, Louis Applewhite, and Willis Blackwell. The Court does not enter a judgment of dismissal as to these defendants, because the United States expressly reserved the right to introduce additional evidence at the hearing for permanent relief, as to these and other defendants. At the time of the hearing, Blackwell had not been correctly served. We find that James Ellis, Sidney August Warner, and Albert Applewhite are members of the klan--ACCA or, were, members until recently, and therefore should be enjoined. The request for dismissal of the action as to these named defendants and their request for attorneys fees are denied.

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

THURSDAY, JANUARY 6, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee met, pursuant to recess, at 10:31 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order. The Chair wants to acknowledge the presence in the hearing room of the Hon. Belgrano Rosson; Mr. Belgrano Rosson is president of the Committee on Constitutional Affairs of the Chamber of Deputies of Argentina.

With him in the audience is his charming wife, Mrs. Belgrano Rosson, and Mr. Caulus F. Soto, an interpreter for the Department of State.

We acknowledge your presence and appreciate your attendance.

We hope you can follow some of the proceedings, anyway. I understand you have an interpreter with you.

Proceed.

Mr. APPELL. Mr. Chairman, I would like to call Russell E. Magee.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MAGEE. I do.

TESTIMONY OF RUSSELL E. MAGEE, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Mr. Magee, will you state your full name for the record?

Mr. MAGEE. Russell E. Magee.

Mr. APPELL. Mr. Magee, I suggest that you pull the microphone a little closer. It is difficult to hear you.

Mr. MAGEE. Russell E. Magee.

Mr. APPELL. When and where were you born?

Mr. MAGEE. Washington Parish, April 19, 1924.

The CHAIRMAN. What town?

Mr. MAGEE. Franklinton. It is in a rural area.

The CHAIRMAN. I know the town and the surrounding area.

Mr. APPELL. Are you represented by counsel?

Mr. MAGEE. I am.

Mr. APPELL. Would counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Magee, are you appearing here this morning in accordance with a subpoena served upon you?

Mr. MAGEE. Yes.

Mr. APPELL. Would you set forth for the record your educational background?

Mr. MAGEE. I respectfully decline to answer the question on the grounds that it might incriminate me; on the further grounds that it would violate my rights under the 1st, 4th, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. I put it to you as a fact, Mr. Magee, and ask you to affirm or deny the fact, that you are the recipient of a master's degree from the University of Southern Mississippi, Hattiesburg, Mississippi.

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Will you set forth for the record your employment background?

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Magee, I put it to you as a fact, and ask you to affirm or deny the fact, that you are formerly the vice principal and basketball coach of Thomas, Louisiana, School and that you now hold a supervisory position with the local school board.

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. POOL. Counsel, is there any information there on what the Federal participation is there at this school?

Mr. APPELL. That is information which we do not possess in full.

The CHAIRMAN. Mr. Magee, you have a master's degree, and therefore you are fully capable of understanding the purposes, objectives, and programs of any organization to which you might belong.

In light of that I shall ask you for enlightenment later on, after certain identifications will be made.

Mr. APPELL. Mr. Magee, I hand you copy of a constitution of the Original Knights of the Ku Klux Klan of Louisiana. I ask you if, as a member of that organization, you operated under those constitutional laws?

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

Mr. APPELL. Mr. Magee, this constitution provides that in each Klavern there shall be appointed a klokan, and under the klokan there shall be appointed in secret a wrecking crew. What knowledge do you possess of the existence and the purpose of a wrecking crew?

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Magee:

Member of the Franklinton, Louisiana, unit of the Original Knights of the Ku Klux Klan in 1963, when the organization was known as the Louisiana Rifle Association and was under the leadership of J. D. Swenson and Royal V. Young.

In April of 1964 he arranged bond for two Klansmen who were arrested for assaulting an officer and resisting arrest in Franklinton, Louisiana.

In June and July, 1964 he received the sum of \$777.01 by checks from the Christian Constitutional Crusaders, the front or cover name of the Original Knights of the Ku Klux Klan as headed by Murry H. Martin.

These funds were advanced to Magee as an organizer for the Sixth Congressional District as well as to operate the Sixth District Klan organization.

(Checks previously marked "Murry Martin Exhibit No. 9." See p. 2373.)

In September of 1964 he was coordinator of all Klan activities for the Sixth Congressional District of the Original Knights of the Ku Klux Klan.

He was a leader of the faction which broke from the Martin leadership of the Original Knights in or around December of 1964. This faction continued to operate in Washington Parish, Louisiana, independent of other Klan groups and issued leaflets under the name of the Original Knights of the Ku Klux Klan of Louisiana.

In March of 1965, Magee and other Klansmen attended a meeting at Baton Rouge, Louisiana, called for the purpose of attempting to reunite factions under the Original Knights of the Ku Klux Klan of America, Inc., a newly incorporated independent Klan organization.

When the Bogalusa Klan group created as its front, or cover, the Anti-Communist Christian Association, Magee held membership in that organization.

This information, Mr. Chairman, which we believe the witness can confirm, also leads us to believe that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Magee, you have heard the statement of Mr. Appell. You now have the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that statement.

In addition you may, if you desire, offer any other matter which the committee may deem relevant to this inquiry.

Do you wish to take advantage of the offer I have just made?

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Well then, Mr. Magee, I must inform you that in the absence of your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation. Bearing this in mind, have you anything to say?

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. As I indicated a moment ago, you possess a master's degree and you are connected with the school system in your area. I would like very much to take advantage of your education and ability to express yourself and have you give us the purposes, objectives, and the programs of the Ku Klux Klan organization to which you belong.

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Did you at any time make speeches or participate in the issuance of pamphlets, literature, and documents purporting to define the objectives and programs of the Ku Klux Klan organization to which you belong?

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Did you as part of your participation in the school system of your area discuss these objectives, purposes, and programs of the Klan organization to which you belong?

Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Magee, visiting the schools of your parish as a member of the school board, I assume that you discuss with the students the Constitution of the United States. The bylaws of the Anti-Communist Christian Association supports the Constitution of the United States as originally written. Is this the constitution that you discuss with your students?

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Magee, were you a defendant in the three-judge court seated in Louisiana which returned an order and finding of facts against yourself and other named defendants?¹

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. This statement appears in the court records and it is my understanding that the defendants, through counsel, admitted to your knowledge—during the period from January 28, 1965, to the present time the individual defendants—

including Saxon Farmer, Russell Magee, Dewey Smith, Randle C. Pounds, Billy Alford, Charles McClendon, James Burke, and other members of the defendant Klan, have gone to locations where they anticipated that Negroes would attempt to exercise their rights and where they anticipated that persons would publicly demonstrate in favor of equal rights for Negroes, in order that the defendants might identify, harass, threaten and intimidate such Negroes and other persons. * * *

¹ See Ralph Blumberg Exhibit No. 2, pp. 2475-2519.

Is that statement that I read to you factual, as it applies to yourself?
Mr. MAGEE. Sir, I respectfully refuse to answer on the grounds heretofore stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

Mr. WELTNER. Mr. Chairman, I would like to ask the witness whether an employee of the public schools of the State of Louisiana takes an oath of office, or whether he must subscribe to any stated principle prior to embarking on employment with the public school system of the State of Louisiana.

Mr. MAGEE. I respectfully refuse to answer on the grounds heretofore stated.

Mr. WELTNER. No further questions.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Before calling the next witness, I would like to ask that the checks made payable to Mr. Magee be entered as exhibits to his testimony at the conclusion of his testimony.

The CHAIRMAN. The checks will be admitted at the point where they were referred to.

Mr. APPELL. Mr. James M. Ellis, Jr.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ELLIS. I do.

TESTIMONY OF JAMES M. ELLIS, JR., ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. State your full name for the record.

Mr. ELLIS. James M. Ellis, Jr.

Mr. APPELL. Are you popularly known in Bogalusa by the nickname of "Buster"?

Mr. ELLIS. I respectfully decline to answer the question on the grounds that it might incriminate me and, further, that it might violate my rights guaranteed me under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. Do you honestly feel—and that is the basis upon which you have the right to invoke the constitutional privilege you have outlined—that to answer that question would tend to incriminate you or subject you to criminal prosecution under those very constitutional provisions that you cited?

Mr. ELLIS. Sir, I respectfully decline to answer the question propounded to me on the grounds previously stated.

Mr. APPELL. When and where were you born, Mr. Ellis?

Mr. ELLIS. July 5, 1932, Bogalusa, Louisiana.

Mr. APPELL. Where do you presently reside?

Mr. ELLIS. 520 Superior Avenue, Bogalusa.

Mr. APPELL. Would you give the committee the benefit of your educational background?

Mr. ELLIS. I respectfully decline and refuse to answer the question propounded to me on the grounds previously stated.

Mr. APPELL. Would you give the committee the benefit of your employment background?

Mr. ELLIS. I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the owner of the Ellis Auto Repairs, 814 Sabine Street, Bogalusa, Louisiana.

Mr. ELLIS. I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Ellis, did you receive an honorable discharge from the United States Air Force in April of 1953?

Mr. ELLIS. I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Ellis, I hand you a constitution of the Original Knights of the Ku Klux Klan of Louisiana and ask you if, as a former exalted cyclops of a Klavern in Bogalusa, you operated in accordance with this constitution?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

Mr. APPELL. Mr. Ellis, are you appearing before the committee in accordance to a subpoena served upon you on October 26, 1965, at Wesley Car Sales at Bogalusa, Louisiana?

Mr. ELLIS. Yes.

Mr. APPELL. Mr. Ellis, under the conditions of the subpoena, and the attachment which was made a part of the subpoena, you were commanded to bring with you and to produce before the committee:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as Exalted Cyclops of the Original Knights of the Ku Klux Klan of Louisiana or Anti-Communist Christian Association.

I ask you to produce those documents called for in your subpoena.

Mr. ELLIS. Sir, I respectfully decline and refuse to produce those documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents called for.

The CHAIRMAN. Were you in the hearing room when I explained to previous witnesses the fact this subpoena was served on you, and ordered you to produce documents just read by Mr. Appell in the representative capacity indicated?

Mr. ELLIS. Yes.

The CHAIRMAN. For the reasons stated previously, which you say you are aware of, I therefore order and direct you to produce those documents.

Mr. ELLIS. Sir, I respectfully decline and refuse to produce those documents on the grounds previously stated.

Mr. APPELL. Mr. Ellis, paragraph 2 of the subpoena called upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession custody or control, or maintained by or available to you, in your capacity as present or past member or officer of the United Klans of America, Inc., Knights of

the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce the documents called for in paragraph 2.

Mr. ELLIS. Sir, I respectfully decline and refuse to produce the documents on the grounds previously stated.

Mr. APPELL. I ask that the witness be directed to produce the documents and other records called for in paragraph 2.

The CHAIRMAN. For the reasons previously stated, I order and direct you to produce those documents.

Mr. ELLIS. Sir, I respectfully decline and refuse to produce those documents on the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Ellis.

Member and exalted cyclops of the Original Knights of the Ku Klux Klan under the leadership of Murry H. Martin. In July 1964, Ellis was the second endorser on a check drawn against the Christian Constitutional Crusaders, the cover name of the Original Knights of the Ku Klux Klan. The payee of the check was Russell Magee, and the check was advanced for the purpose of financing Sixth Congressional District Klan activities. (See Murry Martin Exhibit No. 9, p. 2373.)

From Klansman Howard M. Lee, a licensed gun dealer, Ellis received 6.5 Italian surplus rifles by the case and either he, or his employee at that time, Klansman Eddie Dubison, sold same out of Ellis's place of business, Ellis Auto Repair. Following questioning by agents of the Alcohol Tax Unit, Ellis for his own security left the Klan.

With the creation of the Klan front or cover, the Anti-Communist Christian Association, he joined the association.

On February 15, 1964, Ellis and other Klansmen followed Negroes into the Negro section of Bogalusa after having threatened them because they sought service at a restaurant in Bogalusa.

This information, Mr. Chairman, which we believe the witness can confirm, also leads us to believe that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Ellis, you have heard the sworn statement of the committee's chief investigator, Mr. Appell. I now give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that statement.

Do you care to avail yourself of that opportunity?

Mr. ELLIS. I respectfully decline to and refuse to answer the question on the grounds previously stated.

The CHAIRMAN. I must say to you, Mr. Ellis, in the absence of your rebuttal, or any other facts that may come to the attention of this committee, this committee will rely on the accuracy of its investigation as related by Mr. Appell. Bearing this in mind, do you have anything else to say?

Mr. ELLIS. I respectfully decline to and refuse to answer the question on the grounds previously stated.

The CHAIRMAN. Are you aware of the fact, which is established in the injunction proceedings filed in Louisiana, that some of the records of the Klan were destroyed?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

The CHAIRMAN. Did you as a fact, as related by Mr. Appell, retire from the Klan out of self-protection in order not to be involved in the distribution of guns, pursuant to a license issued to Howard M. Lee, who was charged and convicted of violating Federal law in that respect?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. CHAIRMAN. Proceed.

Mr. APPELL. Mr. Chairman, I would like to read from a report of Wallace J.——

The CHAIRMAN. Pardon me.

I say to you as a fact that you were one of the defendants in that injunction proceeding, so you would have knowledge, I assume, of the destruction of the records.

Proceed.

Mr. APPELL. Mr. Chairman, I would like to read from a report of Wallace J. Moll, Jr., an agent of the Alcohol Tax Unit stationed in New Orleans, Louisiana.

The CHAIRMAN. And that unit has jurisdiction over gun licenses, strange enough. I do not know how strange it is, but it has jurisdiction over licensing people distributing certain types of guns; is that correct?

Mr. APPELL. Yes, Mr. Chairman.

The CHAIRMAN. All right.

Mr. APPELL. [Reading:]

James M. Ellis, Jr., 520 Superior Avenue, Bogalusa, Louisiana, was interviewed at his place of business on January 14, 1965 and advised that he had known Howard Lee about one year and that Lee had approached him on the possibility of purchasing high-powered rifles at a cheap price provided they could secure volume sales.

He advised that he had delivered about 4 cases of the rifles for Lee, securing the money for him and receiving the rifles in shipment. He stated that he eventually quit this as it was interfering with his business operation.

I ask you, Mr. Ellis, if the paragraph that I have quoted from Agent Moll's report is factual?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. To whom did you distribute the rifles contained in the four cases which you acknowledged to the A.T.U. that you had delivered for Howard M. Lee?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that by "delivering" you meant that you sold these rifles out of your place of business, either you or Eddie Dubison, your employee.

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Ellis, when I interviewed Mr. Howard M. Lee in the Federal penitentiary at Texarkana, Texas, Mr. Lee told me how, when he was confronted with the facts, that many of the persons whom his records disclosed had received weapons. that he had gone and called upon these people or made investigation for the purpose of determining the accuracy of the Government's charges. He determined to his own satisfaction that his records were in fact false.

I ask you whether or not in the distribution of these rifles that you supplied Howard Lee for his records false information as to the identity of people who purchased same from your garage or auto repair shop?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, the majority of the rifles sold out of the Ellis Auto Repair Shop were sold to people known to you and to Eddie Dubison to be Klansmen.

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Ellis, as the exalted cyclops of a unit, you had the responsibility under the constitution of seeing to it that the klokan of your Klavern appointed in secret a wrecking crew.

Mr. ELLIS. Sir, I—

Mr. APPELL. I haven't asked the question yet.

Was a wrecking crew appointed within your Klavern?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. As an exalted cyclops, will you explain to the committee the purpose of a wrecking crew?

Mr. ELLIS. Sir, I respectfully decline and refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Randle C. Pounds.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POUNDS. I do.

TESTIMONY OF RANDLE C. POUNDS, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Mr. Pounds, will you state your full name for the record, please?

Mr. POUNDS. Randle Cozell Pounds.

Mr. APPELL. When and where were you born?

Mr. POUNDS. Picayune, Mississippi, September, 30th day of September, 1925.

Mr. APPELL. Where do you presently reside, Mr. Pounds?

Mr. POUNDS. Bogalusa, Louisiana, Route 58-C.

Mr. APPELL. Mr. Pounds, are you appearing here this morning in accordance with a subpoena served upon you on October 30, 1965, at the Chevrolet Motors in Bogalusa, Louisiana?

Mr. POUNDS. Yes.

Mr. APPELL. Mr. Pounds, the subpoena served upon you contained an attachment which was made part of the subpoena and calls for you to produce certain documents.

Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, Anti-Communist Christian Association, in your possession, custody or control, or maintained by you or available to you as member or officer of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce the documents.

Mr. POUNDS. I respectfully refuse to produce the records on the grounds they might incriminate me, and on the further grounds that it might violate my rights guaranteed me under the 1st, 4th, 5th, and 14th amendment to the Constitution of the United States.

Mr. APPELL. Are you represented by counsel?

Mr. POUNDS. Yes.

Mr. APPELL. Will counsel please give his name for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Pounds, paragraph 2 calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce the documents called for in this paragraph 2.

Mr. POUNDS. I refuse to produce the documents on the constitutional grounds previously stated.

The CHAIRMAN. Mr. Pounds, were you in the hearing room when I explained to previous witnesses the fact that this subpoena was served upon you and requires you to produce documents in the capacity indicated in the subpoena?

Mr. POUNDS. Yes.

The CHAIRMAN. I therefore now order and direct you to produce those documents.

Mr. Ingram, I assume what we have covered before has been true all along, namely, you were supplied with a copy of my opening statement and you are familiar with its contents?

Mr. POUNDS. I refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Pounds, would you give the committee your educational background?

Mr. POUNDS. I respectfully refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Pounds, is your principal source of income that from the business of a private contract painter?

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Pounds, I put it to you as a fact, and ask you to affirm or deny the fact, that you served in the United States Navy from December 1950 to October 1954, in the United States Naval Reserve from September 1958 to October 1960, that you served in the regular United States Navy from October 1960 to December 1962, when you were transferred to the temporary disability retired list by reason of a physical disability.

I put that to you as a fact and ask you to affirm or deny it.

Mr. POUNDS. I respectfully refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Pounds, do you presently receive compensation from the United States Government as a result of being placed on a temporary disability retired list?

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Pounds, I put it to you as a fact, and ask you to affirm or deny the fact, that you have held membership in the Original Knights of the Ku Klux Klan.

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness's claimed privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Pounds.

In 1964, an active member of the Original Knights of the Ku Klux Klan.

In 1965, believed to be a member of the wrecking crew.

On April 6, 1965, the Klan rented a vacant house near the Bogalusa Labor Temple to observe the activities of civil rights groups and to plan acts of violence against its members. Pounds was one of the many Klansmen in the watching and planning of violence.

April 7, 1965, Randall C. Pounds and Klansman [Glenn] Breland accosted CORE worker William Yates. Pounds struck Yates' car with a heavy object at a time when Yates was leaving the house of Robert Hicks, vice president of the Bogalusa Voters League.

April 9, 1965, arrested for the assault upon Negroes in a march to the Bogalusa City Hall, including James Farmer, whom he attacked with a blackjack.

April 8, 1965, Pounds, together with other Klansmen, smashed the rear window of an automobile belonging to a CORE worker while it was parked across the street from the house of Robert Hicks.

May 31, 1965, Klansmen Billy Alford and Pounds threatened, harassed, and attempted to intimidate Negro pickets in the downtown area of Bogalusa.

Pounds is a member of the Klan front, or cover organization, the Anti-Communist Christian Association.

This information, Mr. Chairman, which we believe the witnesses can confirm also, leads us to believe that he possesses additional informa-

tion which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Pounds, you have heard the sworn statement of Mr. Appell, the chief investigator of this committee.

I now give you the opportunity to reply to any portion of that statement, admit or deny the truth of any of it, and to explain, or modify, any part of the statement.

In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of that opportunity?

Mr. POUNDS. I refuse to answer the question on the constitutional grounds previously stated.

The CHAIRMAN. In that case, Mr. Pounds, I must inform you that in the absence of your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Bearing this in mind, do you have anything to say?

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Pounds, I put it to you as a fact, and ask you to affirm or deny the fact, you were one of the defendants before the three-judge court sitting in Louisiana, New Orleans, Louisiana?

Mr. POUNDS. I refuse to answer on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Eric Peterson.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PETERSON. I do.

TESTIMONY OF ERIC PETERSON, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Mr. Peterson, will you state your full name for the record, please?

Mr. PETERSON. My name is Captain Eric Peterson.

Mr. APPELL. Would you explain the title of "captain" that you give to yourself?

Mr. PETERSON. Sir, I respectfully decline and refuse to answer the question propounded to me on the grounds it will discriminate me, on the further grounds it will violate my rights under the 1st, 4th, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Mr. Peterson, you are represented by counsel?

Mr. PETERSON. I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, attorney at law, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Chairman, Mr. Peterson was asked to set forth his full name for the record. He identified himself on the record as "Captain Eric Peterson." He was then asked to explain to the committee the designation which he gave to himself as captain and he refused to do so, invoking constitutional grounds. I request that the witness be directed to answer the question, Where does he get the title of captain?

The CHAIRMAN. I order and direct you to answer that question.

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Peterson, when and where were you born?

Mr. PETERSON. I was born in a rural area near Sunny Hill, Louisiana, on July 6, 1924.

Mr. APPELL. Where do you presently reside?

Mr. PETERSON. I reside in a rural area near Sun, Louisiana.

Mr. APPELL. Would you give us a description of where you live?

Mr. PETERSON. Would you repeat the question, please?

Mr. APPELL. Would you give the committee a description of the area in which you live?

Mr. PETERSON. I repeat my answer. I reside in a rural area about 1½ miles from Sun, Louisiana.

The CHAIRMAN. Mr. Ingram, I believe our colloquy is broad enough with reference to my opening statement to include this witness and others whom you might represent. So we may have it in the record now; is that correct?

Mr. INGRAM. Yes.

Mr. APPELL. Mr. Peterson, you are appearing before the committee this morning in accordance with a subpoena which was served upon you by a United States Marshal on November 4, 1965, at your residence in Sun, Louisiana.

Mr. PETERSON. Yes.

Mr. APPELL. Mr. Peterson, under the conditions of the subpoena served upon you and an attachment thereto which was made a part of the subpoena, you were ordered to produce the following items listed in paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, the Anti-Communist Christian Association, in your possession, custody or control, or maintained by you or available to you as member and/or officer of the Original Knights of the Ku Klux Klan of Louisiana and the Anti-Communist Christian Association.

I ask you to produce those records, sir.

Mr. PETERSON. I respectfully decline to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents called for in paragraph 1 of the attachment to his subpoena.

The CHAIRMAN. Were you in the hearing room when I commented on this subpoena served upon you, which orders you to produce documents in the capacity indicated in the subpoena?

Mr. PETERSON. Yes, sir.

The CHAIRMAN. I therefore order and direct you to produce those documents.

Mr. PETERSON. I respectfully refuse to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Peterson, paragraph 2 calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member or officer of the United Klans of America, Inc., Knights of the Ku Klux Klan, and the Anti-Communist Christian Association which the "Constitution and Laws" of said organization authorize and require to be maintained by you or any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

The CHAIRMAN. And for the reasons I previously stated, I order and direct you to produce those documents.

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

Mr. APPELL. Paragraph 3, Mr. Peterson, calls upon you——

Mr. INGRAM. May I speak to you a minute?

(Counsel conferring.)

Mr. APPELL. Mr. Peterson, paragraph 3 of your subpoena calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Returns," for the calendar years 1958 through 1964 filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask you to produce those documents called for in paragraph 3.

Mr. PETERSON. I respectfully refuse to produce the documents on the constitutional grounds previously stated.

Mr. APPELL. Mr. Peterson, will you advise the committee of your educational background?

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you had 1 year of college at Southwestern Louisiana State College.

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the owner of the Pearl River Towing Company, Sun, Louisiana.

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Peterson, did you ever hold membership in the Original Knights of the Ku Klux Klan of the Realm of Louisiana?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. I hand you a copy of the constitution of the Original Knights of the Ku Klux Klan, Realm of Louisiana, and I ask you if, as an exalted cyclops of that unit, of that organization, you conducted a Klavern under the rules and regulations prescribed therein?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Peterson:

October 1963, a member of the Bush, Louisiana, Unit, Original Knights of the Ku Klux Klan, which was then under the leadership of J. D. Swenson and Royal V. Young.

February 1964, attended a meeting at Alexandria, Louisiana, at which meeting Royal V. Young made plea with Klan leaders to hold organization together under his leadership.

July 1964, exalted cyclops of Bush Unit, Original Knights of the Ku Klux Klan, then under the leadership of Murry H. Martin. Klavern funds were maintained in his personal bank account.

While the exalted cyclops he purchased 700 rounds of ammunition and 25 rifles from Howard M. Lee, which rifles were sold or distributed by Peterson to Klansmen in the Covington, Louisiana, area.

Mr. Peterson paid Howard Lee \$125 for the 25 rifles.

In September 1964, Peterson was a member of the wrecking crew in the Saint Tammany Parish. The "wrecking crew," in Klan terminology, refers to a group of Klansmen who are prone to violence or who have been selected to carry out violence.

This information, Mr. Chairman, which we believe the witness can confirm, also leads us to believe that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

(At this point Mr. Buchanan left the hearing room.)

The CHAIRMAN. Mr. Peterson, you have heard the sworn statement of Mr. Appell, our chief investigator. You now have the opportunity to reply to any part or portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that

statement. In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry. Do you care to avail yourself of that opportunity?

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

The CHAIRMAN. While Mr. Appell was outlining his sworn statement, I noticed you made notes of something when he described a meeting in Alexandria, when he described that you put Klan funds in your personal account, when he referred to rifles coming from Howard Lee, and when he referred to you as a member of the wrecking crew.

I have no objection at all, of course, and have none to your making notes. I simply wanted to give you the opportunity to say whether you were making those notes because you were doubtful of these things or because perhaps you wanted to keep a memorandum of what you had been questioned about and what had been disclosed. Do you care to comment?

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Chairman, I would like to have entered into the record four documents which I shall now exhibit to Mr. Peterson.

One is a notice of the Ouachita National Bank, Monroe, Louisiana, to the Christian Constitutional Crusaders, the cover name of the Original Knights of the Ku Klux Klan when under the leadership of Murry H. Martin, which reflects that a check drawn against the account of Eric Peterson in the amount of \$47 was returned because of a missing endorsement.

Document Nos. 2, 3, and 4 are excerpts from the records of Howard M. Lee relating to his sales of guns and ammunition. The first paper contains the writing "700 rounds for Sun, La., Eric Peterson." The second document, in addition to other entries, contains the entry, "Eric Peterson, 25 rifles, pd. \$125." The third document contains the serial numbers of the 25 rifles and is dated July 28, 1964.

After you have examined those documents, Mr. Peterson, I give you an opportunity to comment on either or all.

The CHAIRMAN. Do you care to avail yourself of that opportunity?

Mr. PETERSON. I respectfully decline to do so on the constitutional grounds previously stated.

The CHAIRMAN. I order that these documents be inserted in the record at this point and instruct the reporter to insert in the printed record all documents as they are commented on and exhibited.

(Documents marked "Eric Peterson Exhibits Nos. 1 and 2-A, 2-B, and 2-C, respectively, follow:)

ERIC PETERSON EXHIBIT NO. 1

DEBIT		CREDIT		REASON	AMOUNT
Eric Peterson		84-490		1st end. missing	47.00
<p>To Christian Const. Crusaders c/o H. I. Beles 201 Elmwood Dr. West Monroe, La.</p>					
					92 194 4
					VE
					CASHIER

THE OKLAHOMA NATIONAL BANK
Monroe, Louisiana

Christian Const. Crusaders, Inc., Monroe, La. 71064

ERIC PETERSON EXHIBIT NO. 2-A

Frank Mingo 40 rounds
\$6.15 Ammo \$5.20

Lee Spears 40 rounds \$5.20

700 rounds for Leno, La.
VI (Eric Peterson)

ERIC PETERSON EXHIBIT NO. 2-B

~~Eric Peterson 25 rounds pl. 12.50~~
~~Lt. M. Davis 25 rounds pl. 12.50~~
~~Lt. M. Davis 24 rounds pl. 12.40~~
~~David Light 60 rounds pl. 7.80~~
~~John Brown 100 rounds pl. 13.00~~
~~David Reid 40 rounds pl. 5.20~~
~~W. C. ... 100 rounds pl. 13.00~~

7/28/64

Sold to Eric Peterson by the (Page)
Telephone 24068

261017

BN2024

98378

IS 4960

ORG 6306

RK 9185

IH 6734

EG 8466

ORD 180

GF 9921

(1) U8110

SV 22

BL 9533

BK 5339

YM 6089

JA 4778

EX 9877

PK 1687

D 9668

EH 7274

MI 9393

FC 3149

AG 1468

ORA 7803

FK 4923

Mr. APPELL. Mr. Peterson, are there any other reasons, other than the constitutional reasons which you have set forth, for your refusal to answer or your refusal to produce documents called for by the subpoena?

Mr. PETERSON. Would you repeat that question?

Mr. APPELL. Yes, sir. Are there any other reasons, other than the constitutional reasons which you have set forth, why you did not answer questions propounded to you or produce documents called for by your subpoena?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Prior to November 6, 1965—and your subpoena was served upon you on November 4—were you telling residents of Sun, Louisiana, that you did not intend to cooperate with the committee and that you intended to be completely nonresponsive?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. POOL. Is that statement a matter of fact, Counsel?

Mr. APPELL. Yes, sir.

Mr. POOL. Where did that statement appear?

Mr. APPELL. In the area of Sun, Louisiana, where Mr. Peterson resides.

Mr. Peterson, it is the committee's information that from the Pearl River Towing Company, which you own, you have a gross income, prior to deductions, of in excess of \$300,000. What percentage of your income is derived from the United States Government?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. As a matter of fact, do you not live on Government property and tie up your barges on Government property, for which you pay compensation of only \$35 per month?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, I would like to read into the record at this point a letter from the Office of the Chief of Engineers, which reads as follows:

The District Engineer, U.S. Army Engineer District, at Mobile, Alabama, informs me that a lease was entered into between the Government and Mr. Peterson on 1 January 1962 for the use of approximately two acres of land and a concrete block dwelling at Lock No. 3, Pearl River Project, Louisiana. The term of the lease was for five years and ends 31 December 1966. This grant was the result of a bid submitted by Mr. Peterson in response to an invitation to bid for leasing this property. The compensation is \$35.00 per month. Mr. Peterson in the operation of his towing business is one of the principal users of the Pearl River Project.

Is the information supplied to the committee by the Corps of Engineers factual?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

(Document marked "Eric Peterson Exhibit No. 3" follows:)

ERIC PETERSON EXHIBIT NO. 3



DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20315

IN REPLY REFER TO
ENGINE-MI

27 December 1966

Mr. Donald T. Appell
Chief Investigator
Committee on Un-American Activities
House of Representatives
Washington, D.C.

Dear Mr. Appell:

This is in further reply to your recent letter concerning the contractual relationship between the Corps of Engineers and Mr. Eric Peterson, operator of the Pearl River Towing Company, Sum, Louisiana.

The District Engineer, U.S. Army Engineer District, at Mobile, Alabama, informs me that a lease was entered into between the Government and Mr. Peterson on 1 January 1962 for the use of approximately two acres of land and a concrete block dwelling at Lock No. 3, Pearl River Project, Louisiana. The term of the lease was for five years and ends 31 December 1966. This grant was the result of a bid submitted by Mr. Peterson in response to an invitation for bids for leasing this property. The compensation is \$35.00 per month. Mr. Peterson, in the operation of his towing business, is one of the principal users of the Pearl River Project.

I trust the foregoing information is sufficient for your purposes.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Woodrow Berge".

WOODROW BERGE
Acting Director of Real Estate

Mr. APPELL. Mr. Peterson, will you advise the committee as to the Klansmen to whom you distributed or sold the 25 rifles which you obtained from Howard M. Lee, according to his record?

The CHAIRMAN. He did not get the question.

Mr. APPELL. Would you identify to the committee the Klansmen to whom you either sold or distributed the 25 rifles which you received, according to the records of Howard M. Lee?

Mr. PETERSON. I decline to do so on the constitutional grounds previously stated.

Mr. APPELL. To your certain knowledge, were any of these rifles used as a part of any wrecking crew activity of the Klan unit in Bush, Louisiana?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds perviously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of Mr. Peterson.

Mr. WELTNER. I have a question, Mr. Chairman.

Mr. Peterson, I note at page 11 of the court opinion (Ralph Blumberg Exhibit No. 2) there is set forth the boycott rules of the Anti-Communist Christian Association. A portion of those rules reads as follows:

"Any member who shall after a hearing have been found guilty of personally patronising a subject listed on the boycott list shall be *wrecked by the wrecking crew* who shall be appointed by the Committee. [Emphasis added.] . . .

Second offense—If a member is found guilty of personally violating the boycott list he shall be wrecked and banished from the Klan."

I would like to know what is meant by the term "wrecked." What happens to a Klansman when he is "wrecked" by the "wrecking crew"?

Mr. PETERSON. I respectfully decline to answer the question on the constitutional grounds previously stated.

Mr. WELTNER. Mr. Chairman, may I have another moment.

I would like to inquire of Mr. Appell concerning the letter he presented from the Department of the Army. Is the Pearl River Project one constructed by the United States Corps of Engineers?

Mr. APPELL. It is, sir.

Mr. WELTNER. Is that what is known generally as a rivers and harbors project?

Mr. APPELL. It is, sir.

Mr. WELTNER. Is that project financed by any Federal funds?

Mr. APPELL. It is my understanding that the river is maintained by the Corps of Engineers and all dredging, widening, and things of that nature are financed by Federal funds.

Mr. WELTNER. As a matter of fact, that is financed 100 percent by Federal funds; is it not?

Mr. APPELL. That is my understanding, sir.

Mr. WELTNER. I understand the company of this witness, Mr. Peterson, is engaged in using the river, the harbor, docks, and such other facilities there in the course of Mr. Peterson's business.

Mr. APPELL. Yes, sir.

Mr. WELTNER. I do not have a question but a sort of query as to whether this is the kind of outside agitation and Federal interference that seems to serve to make one a member of the Ku Klux Klan.

I have no further comment, Mr. Chairman.

Mr. POOL. I have no questions.

The CHAIRMAN. The witness is excused.

The CHAIRMAN. It is now noon. The committee will stand in recess until 2 o'clock.

(Subcommittee members present: Representatives Willis, Pool, and Weltner.)

(Whereupon, at 11:55 a.m., Thursday, January 6, 1966, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, JANUARY 6, 1966

(The subcommittee reconvened at 2:10 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

I have a brief announcement to make.

The subcommittee which is conducting these hearings met at the conclusion of this morning's session. At that meeting the four members present voted unanimously to recommend to the full committee that certain persons subpoenaed to testify in the earlier phase of these hearings be cited for contempt of Congress.

The following seven officials of the United Klans of America, Inc., Knights of the Ku Klux Klan, were the subjects of the subcommittee action:

Robert M. Shelton, Imperial Wizard of the United Klans of America, Inc., Knights of the Ku Klux Klan.

James R. Jones, Grand Dragon, Realm of North Carolina.

Robert E. Scoggin, Grand Dragon of the Realm of South Carolina.

Calvin F. Craig, Grand Dragon of Georgia.

Marshall R. Kornegay, Grand Dragon of Virginia.

George F. Dorsett, Imperial Kludd, who is also a paid organizer and a province titan of the Realm of North Carolina.

Robert Hudgins, Imperial Kladd and also the exalted cyclops of the North Carolina Klavern using the name of the Capital City Restoration Association.

That concludes my announcement, but in that connection I would like to say this: On the basis of the committee's study and analysis of the hearing record as it pertains to these men, it is my belief that the full committee will act favorably and promptly on the recommendation of the subcommittee.

I also announce that the subcommittee decided, also, to cancel the outstanding subpoenas on Mr. Shelton and Mr. Craig. It is my impression that those are the two who have outstanding subpoenas. We voted to cancel the subpoenas in light of the recommendation to be made by the subcommittee that action be taken by the full committee to recommend contempt citation of Congress.

I would like, also, to make this statement: This morning I was handed two documents which I have before me and which I can probably describe by use of the term "flyers." These documents state that they are put out by the United Klans of America, Inc. One of them is a bulletin from the Ku Klux Klan, and it seeks to exhort the reader to fight back against the colored people, whom it calls "niggers."

The other document is an invitation to join the United Klans of America, Inc., saying that any native-born, loyal United States citizen, 21 years old, white, gentile, temperate habits, Christian faith, and believing in white supremacy in America can join the Klan.

There is actually a membership blank, with places to be filled in.

The point I make it this: These flyers, I am told, have been and are being inserted in mail boxes in and around Baton Rouge.

I call attention to the fact that the insertion of these documents in United States mail boxes without payment of postage in regular mailing constitutes a violation of section 1725 of title 18 of the United States Code. We plan to report the incident to the postal authorities. In fact, we have already talked to the legal department about taking

whatever action and measures which might be appropriate in the circumstances.

Mr. Appell, call the next witness.

Mr. APPELL. Pete Holden.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOLDEN. I do.

TESTIMONY OF JAMES W. (PETE) HOLDEN, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Will you state your full name for the record?

Mr. HOLDEN. James W. Holden.

Mr. APPELL. Are you represented by counsel, Mr. Holden?

Mr. HOLDEN. Yes, I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. My name is Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. When and where were you born, Mr. Holden?

Mr. HOLDEN. I was born in Bogalusa, Louisiana, May 18, 1926.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. HOLDEN. I respectfully refuse to answer the question on the grounds that it might incriminate me and on the further grounds that it would violate my rights under the Constitution—1, 5, 4, and 14th amendments of the Constitution of the United States.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you operate a Texaco station in Covington, Louisiana.

Mr. HOLDEN. I respectfully refuse to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Holden, do you now or have you ever held office in a Ku Klux Klan organization?

Mr. HOLDEN. I respectfully refuse to answer the question on the same constitutional grounds previously stated.

Mr. APPELL. Mr. Holden. I put it to you as a fact, and ask you to affirm or deny the fact, that you held the position of exalted cyclops of a unit of the Original Knights of the Ku Klux Klan in Covington, Louisiana.

Mr. HOLDEN. I refuse to answer on the ground previously stated.

Mr. APPELL. Mr. Holden, were you acquainted with Howard M. Lee, the gun dealer in Bogalusa, Louisiana?

Mr. HOLDEN. I refuse to answer on the ground previously stated.

Mr. APPELL. Mr. Holden, the committee's investigation established that Eric Peterson, of Sun, Louisiana, obtained 25 rifles from Howard M. Lee and either sold or distributed them to Klansmen in the Covington, Louisiana, area. Do you possess knowledge of this?

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Holden, the committee's investigation established that Mr. Lee's records failed to reflect the sale of some 154 rifles. The

committee's investigation disclosed that many of these rifles were sold and not reflected in Mr. Lee's records and were purchased by members of the Covington, Louisiana, Klavern.

As the exalted cyclops of that Klavern, can you tell us whether or not any of your members obtained these rifles from Howard M. Lee?

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Holden, I hand you a copy of the "Konstitution of the Original Ku Klux Klan, Realm of Louisiana," and ask you if you ever operated under that constitution.

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 2.")

Mr. APPELL. Mr. Holden, under the constitution of the Original Knights of the Ku Klux Klan there was provision made within Klaverns, within provinces, and within the realm for divisions known as the Klan Bureau of Investigation. Who headed the Klan Bureau of Investigation for your Klavern?

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Provision was made for the appointment by the klokan of the Klavern of six men to be appointed in secret, being known by the title of the "wrecking crew." Who was the klokan of your Klavern?

Mr. HOLDEN. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

Mr. POOL. I have no questions.

Mr. WELTNER. I have no questions.

Mr. BUCHANAN. I have no questions.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Willie Houston Burke.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BURKE. I do.

TESTIMONY OF WILLIE HOUSTON BURKE, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Would you state your full name for the record, Mr. Burke?

Mr. BURKE. Willie Houston Burke.

Mr. APPELL. When and where were you born?

Mr. BURKE. February 2, 1917, in the suburbs of Bogalusa, Louisiana.

Mr. APPELL. Are you represented by counsel?

Mr. BURKE. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. My name is Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Where do you reside, Mr. Burke?

Mr. BURKE. 903 Pine Ridge Road, Bogalusa, Louisiana.

Mr. APPELL. Are you appearing before the committee today, Mr. Burke, in accordance with a subpoena served upon you on October 26, 1965, at 903 Pine Ridge Drive, Bogalusa, Louisiana?

Mr. BURKE. Yes.

Mr. APPELL. Mr. Burke, the subpoena served you contained an attachment which called upon you to produce books and records set forth on the attachment which was made part of the subpoena. Paragraph 2 calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession custody or control, or maintained by or available to you, in your capacity as a present or past Exalted Cyclops and/or member of the Original Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization the same being in your possession, custody or control.

I ask you to produce the documents called for in paragraph 2.

Mr. BURKE. Sir, I refuse to produce the records mentioned in the question on the grounds that it might incriminate me and on the further grounds that it would violate my rights under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States of America.

(At this point Mr. Buchanan left the hearing room.)

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce those documents.

The CHAIRMAN. Were you in the hearing room when I explained the fact that this subpoena was being served on others and on you in the capacity designated in the subpoena?

Mr. BURKE. Yes.

The CHAIRMAN. Accordingly, I order and direct you to produce those documents.

Mr. BURKE. Sir, I respectfully refuse to produce the records on the grounds previously stated.

Mr. APPELL. Mr. Burke, were you a member of the Ku Klux Klan in 1963 when the Original Knights of the Ku Klux Klan was under the direction of Royal V. Young as the Imperial Dragon?

Mr. BURKE. I respectfully refuse to answer the question on the grounds previously stated.

(At this point Mr. Buchanan returned to the hearing room.)

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I now present to this committee the results of our investigation as they pertain to Mr. Burke:

In 1963, exalted cyclops of the Bogalusa Unit of the Original Knights of the Ku Klux Klan under the leadership of J. D. Swenson and Royal V. Young.

In 1963-64 exalted cyclops of the Bogalusa Unit of the Original Knights of the Ku Klux Klan under the leadership of Murry H. Martin. This Klavern held its meetings at the Disabled American Veterans Hall which was operated by Klansman Arvis Warner.

Head of the committee of exalted cyclops under the Washington Parish Klan which distributed leaflets under the title of the Original Knights of the Ku Klux Klan of Louisiana, under the leadership of Charles Christmas and Saxon Farmer.

Member of the Klan front or cover organization, the Anti-Communist Christian Association.

This information, Mr. Chairman, leads us to believe that the witness, Mr. Burke, possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

The CHAIRMAN. Mr. Burke, you have heard the sworn statement of Mr. Appell, the chief investigator of this committee.

Now I give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that statement.

In addition you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of that opportunity?

Mr. BURKE. Sir, I respectfully refuse to answer on the constitutional grounds previously stated.

The CHAIRMAN. In that case I must inform you that, absent your rebuttal or other facts which may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Bearing that in mind, have you anything to say?

Mr. BURKE. Sir, I respectfully refuse to answer on the grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Burke, I put it to you as a fact, and ask you to affirm or deny the fact, that you are an employee of the city of Bogalusa.

Mr. BURKE. Sir, I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you have acted on behalf of the Klan in matters affecting the city of Bogalusa.

Mr. BURKE. Sir, I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. As chairman of the committee of exalted cyclops, did you know Albert Applewhite—

The CHAIRMAN. And that committee operates statewide in Louisiana—or did it?

Mr. APPELL. No; this was Washington Parish, Mr. Chairman.

The CHAIRMAN. I thought you said he was head of the committee of exalted cyclops.

Mr. APPELL. Of Washington Parish.

As chairman of the committee of exalted cyclops of Washington Parish did you know Albert Applewhite to be exalted cyclops of Unit No. 4?

Mr. BURKE. I refuse to answer on the grounds previously stated.

Mr. APPELL. Did you know these following individuals to have held the position of exalted cyclops at one time or another of Unit No. 2?

Dewey B. Smith, Ovied B. Dunaway; James M. (Buster) Ellis, Jr.; Robert Rester; and Billie Clyde Simmons?

Mr. BURKE. I refuse to answer on the grounds previously stated.

Mr. APPELL. Do you know Dewey B. Smith to also have been the exalted cyclops of Unit No. 1?

Mr. BURKE. I refuse to answer on the grounds previously stated. (At this point Mr. Pool left the hearing room.)

Mr. APPELL. Mr. Burke, the mayor of Bogalusa, Mayor Cutrer, testified that he was approached by a man identified as Marvin Foster, whom he described as the liaison of the Klan, liaison man of the Klan, to the City Hall, and was told to attend a meeting of the Klan at the Disabled American Veterans Hall operated by Mr. Arvis Warner.

The mayor testified that he attended this meeting along with the police commissioner, Arnold Spiers, and there the demands of the Klan were made to him by 150 Klansmen robed and masked.

Did you participate in that meeting—

Mr. BURKE. I refuse to answer under the grounds previously stated.

Mr. APPELL—responsible for extending the demands to Mayor Cutrer, and what demands were made upon him with respect to the impending visit to Bogalusa, as a speaker, of former Congressman Brooks Hays?

Mr. BURKE. I refuse to answer under the grounds previously stated.

Mr. APPELL. Mr. Burke, literature distributed to the citizenry of Bogalusa, as well as the citizenry throughout the United States, by the Klan, advocates that it supports free speech. Enforcing the cancellation of speaking engagement of former Congressmen Brooks Hays, how did the Klan carry out one of its purposes and objectives?

Mr. BURKE. I refuse to answer under the grounds previously stated.

Mr. APPELL. Mr. Burke, it was at a speech at Crossroads, Mississippi, on January 21, 1965, a 16-year old boy from Bogalusa announced that there was a youth group of the Klan being organized under the direction of Saxon Farmer in Bogalusa, Louisiana, and this 16-year-old boy asked you to join up. Do you know of the existence of such a youth group in Bogalusa?

Mr. BURKE. I refuse to answer under the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

Mr. BUCHANAN. I have no questions.

Mr. WELTNER. I have no questions.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Mr. Albert Applewhite.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. APPLEWHITE. I do.

TESTIMONY OF ALBERT LAFTMAN APPLEWHITE, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Would you state your full name for the record?

Mr. APPLEWHITE. Albert Laftman Applewhite.

Mr. APPELL. Are you appearing before the committee this afternoon represented by counsel?

Mr. APPLEWHITE. Yes.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael Ingram from Baton Rouge, Louisiana.

Mr. APPELL. When and where were you born?

Mr. APPLEWHITE. Bogalusa, December 24, 1924.

Mr. APPELL. Where do you presently reside?

Mr. APPLEWHITE. 1813 Washington Street, Bogalusa, Louisiana.

Mr. APPELL. Are you appearing in accordance to a subpoena served upon you by U.S. Marshal on October 26, 1965, at 1813 Washington Street, Bogalusa, Louisiana?

Mr. APPLEWHITE. Yes, sir.

Mr. APPELL. Mr. Applewhite, under the conditions of the subpoena there was an attachment thereto made a part of the subpoena and you were commanded to bring with you and to produce documents set forth in the attachment, paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of the business and affairs of the Original Knights of the Ku Klux Klan of Louisiana, and affiliated organizations, namely, the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as Exalted Cyclops of the Original Knights of the Ku Klux Klan of Louisiana and the Anti-Communist Christian Association.

I ask you to produce those documents.

Mr. APPLEWHITE. Sir, I respectfully decline to produce these documents because to me on the grounds it might incriminate me, and on the further ground it would violate my rights guaranteed under the 1st, 4th, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents.

The CHAIRMAN. Were you in the hearing room when I commented on the fact these subpoenas, including the one served upon you, called upon you to produce these documents in the representative capacity indicated in the subpoena?

Mr. APPLEWHITE. Yes.

The CHAIRMAN. Therefore, I order and direct you to produce the documents for the reasons previously stated.

Mr. APPLEWHITE. Sir, I refuse to present these documents on the grounds previously stated.

Mr. APPELL. Mr. Applewhite, under paragraph 2 of the subpoena you were asked to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past officer or member of the Original Knights of the Ku Klux Klan, or the Anti-Communist Christian Association which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. APPLEWHITE. Sir, I refuse to present these documents on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce the documents.

The CHAIRMAN. For the reasons I previously indicated, I order you to produce those documents.

Mr. APPLEWHITE. I refuse to present the documents on the grounds previously stated.

Mr. APPELL. Mr. Applewhite, would you give the committee your educational background?

Mr. APPLEWHITE. Sir, I refuse to answer that question on the grounds previously stated.

Mr. APPELL. Mr. Applewhite, did you see service in the United States Navy from August 1943 to March 1946, at which time you were honorably discharged?

Mr. APPLEWHITE. Sir, I refuse to answer that question on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you have a high school education and are employed by Crown-Zellerbach Corporation, Bogalusa, Louisiana?

Mr. APPLEWHITE. I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to this committee the results of our investigation as they pertain to Mr. Applewhite.

In 1964, Mr. Applewhite was a member of Bogalusa Klavern of the Original Knights of the Ku Klux Klan, then under the leadership of Murry H. Martin.

In March of 1965, he held the position of exalted cyclops of Unit No. 4 of the Original Knights of the Ku Klux Klan of Louisiana.

The CHAIRMAN. He was exalted cyclops of Unit No. 4?

Mr. APPELL. On February 15, 1965, Applewhite, with other known Klansmen, gathered at Landry's Fine Foods, a Bogalusa restaurant, for the purpose of threatening Negroes seeking service.

On April 6, 1965, the Bogalusa Klan rented a vacant house near the Bogalusa Labor Temple for the purpose of observing civil rights groups and planning violence against them. Applewhite was one of the Klansmen watching and planning.

Applewhite was one of 18 members of the Bogalusa Auxiliary Police force who was sworn out of the Original Knights for security reasons in April of 1965. Applewhite is a member of the Klan cover organization, the Anti-Communist Christian Crusaders. Applewhite is also a leader of the Minutemen in the Bogalusa, Louisiana, area.

This information, Mr. Chairman, leads us to believe that Mr. Applewhite possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

The CHAIRMAN. Mr. Applewhite, you have heard the sworn statement of the committee's chief investigator, Mr. Appell. I give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of it.

In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you wish to avail yourself of that opportunity?

Mr. APPLEWHITE. Sir, I respectfully refuse to answer the question on the grounds that I previously stated.

The CHAIRMAN. In that case, I must inform you in absence of your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Now, bearing that in mind, do you have anything more to say?

Mr. APPLEWHITE. Sir, I respectfully refuse to answer the question on the grounds that I have previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Applewhite, will you identify for the committee the additional 17 members of the Bogalusa Auxiliary Police Department who were members of the Ku Klux Klan?

Mr. APPLEWHITE. I respectfully refuse to answer the questions on the grounds previously stated.

Mr. APPELL. Mr. Applewhite, will you identify for the committee the klokan and the members of the wrecking crew of the Klavern which you headed as the exalted cyclops?

Mr. APPLEWHITE. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. The Klan in Bogalusa provided for the creation of a boycott committee to be comprised of one member from each unit in the Bogalusa area. This committee was to appoint a wrecking crew who would wreck persons violating the boycott restrictions. Were you a member of this wrecking crew?

Mr. APPLEWHITE. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. The staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Mr. APPELL. Mr. Ewell Rowley.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROWLEY. I do.

TESTIMONY OF EWELL WILLIAM ROWLEY, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Would you state your full name for the record, please?

Mr. ROWLEY. Ewell William Rowley.

Mr. APPELL. Are you appearing here this afternoon in accordance with a subpoena served upon you on October 26, 1965, at the Pearl River Junior High School in Pearl River, Louisiana?

Mr. ROWLEY. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. ROWLEY. Yes.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. When and where were you born, Mr. Rowley?

Mr. ROWLEY. Marion County, Mississippi, April 25, 1921.

Mr. APPELL. What city in Marion County were you born?

Mr. ROWLEY. It was in a rural area known as Kokomo.

Mr. APPELL. Where do you presently reside?

Mr. ROWLEY. Sixth Ward Community, Louisiana.

Mr. APPELL. Sixth Ward of what parish?

Mr. ROWLEY. St. Tammany.

Mr. APPELL. Mr. Rowley, under the condition of the subpoena served upon you and attachment that was made a part of the subpoena, you were called to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of Louisiana and affiliated organizations, namely, Pearl River Hunting and Fishing Lodge #1028 and the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as a member and/or officer of the Original Knights of the Ku Klux Klan of Louisiana and/or Anti-Communist Christian Association.

I ask you to produce those documents, sir.

Mr. ROWLEY. Are you speaking of paragraph 1 of the subpoena?

Mr. APPELL. Yes, I read paragraph 1.

Mr. ROWLEY. Sir, I respectfully refuse to produce the records asked for in paragraph 1 of the subpoena on grounds that it might incriminate me and, further, it would violate my rights under the 1st, 4th, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. I ask that the witness be directed to produce the documents.

The CHAIRMAN. Were you in the hearing room when I commented on the fact that these subpoenas, including the one served upon you, called upon you to produce these documents in the representative capacity indicated in the subpoena?

Mr. ROWLEY. No, sir; I was not.

The CHAIRMAN. I will explain it to you.

This subpoena, which is technically called a subpoena duces tecum, calls upon you to produce certain books, records, documents, correspondence, and memoranda relating to Ku Klux Klan affairs and organization, which documents, it is stated in the subpoena, are in your possession, custody, or control or maintained by you or are available to you as a member and/or an officer of the Original Knights of the Ku Klux Klan of Louisiana and/or Anti-Communist Christian Association.

In other words, the subpoena does not call upon you to produce personal papers of yours, but papers, as indicated, in your possession, custody, or control in the capacity stated. Do you understand that?

Mr. ROWLEY. Yes.

The CHAIRMAN. That means that this committee takes the position that the constitutional ground upon which you rely is not applicable, because you have been asked to produce something not belonging to you personally, not your own papers or documents, but in that capacity, and it is our position you have no right to invoke those constitutional provisions.

Under these circumstances, I order and direct you to produce them.

Mr. ROWLEY. Sir, I respectfully refuse to produce the records on grounds previously stated.

Mr. APPELL. Mr. Rowley, paragraph 2 calls for the production of:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as member and/or officer of the Original Knights of the Ku Klux Klan or the Anti-Communist Christian Association which the "Constitution and Laws" of the organization authorize and require to be maintained by you and any other

officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. ROWLEY. Sir, I respectfully refuse to produce those records on the grounds previously stated.

The CHAIRMAN. And for the reasons and the grounds I previously stated, I again order you to produce those documents mentioned in paragraph 2.

Mr. ROWLEY. I respectfully refuse to produce these records on the grounds heretofore stated.

Mr. APPELL. Mr. Rowley, will you set forth your educational background?

Mr. ROWLEY. Sir, I refuse to answer that question on the constitutional grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, you are the principal of the Sixth Ward Junior High School, Pearl River, Louisiana.

Mr. ROWLEY. Sir, I respectfully refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to this committee the results of our investigation as they pertain to Mr. Rowley.

In 1964, Mr. Rowley was a member of the Original Knights of the Ku Klux Klan under the leadership of Murry H. Martin, which organization was known by a cover name of the Christian Constitutional Crusaders. He held membership and official position in the Pearl River Unit known by the front, or cover, name of the Pearl River Hunting and Fishing Lodge. Meetings of the Klan group were held in the Junior High School of which Mr. Rowley was its principal.

Officers of the unit in addition to Mr. Rowley were Ed Yates, D. B. Dean and L. J. Moran, all of Pearl River.

This information, Mr. Chairman, leads us to believe that he is in possession of additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

The CHAIRMAN. Mr. Rowley, you have heard the sworn statement of the committee's chief investigator.

Now, I give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and to explain or modify any part of that statement.

In addition, I give you the privilege, if you desire, to offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. ROWLEY. Sir, I respectfully refuse to answer on the grounds heretofore stated.

The CHAIRMAN. In that case, sir, I inform you that in the absence of any rebuttal from you, or anyone else for that matter, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

In view of that, do you have anything to say?

Mr. ROWLEY. Sir, I respectfully refuse to answer on the grounds previously stated.

Mr. WELTNER. I would like to inquire of Mr. Appell whether he has the name of the junior high school in Pearl River.

Mr. APPELL. I think it is the Sixth Ward Pearl River Junior High School.

Mr. WELTNER. Is that a part of the public school system of that parish?

Mr. APPELL. It is my understanding it is.

The CHAIRMAN. In the State of Louisiana, the parish is divided into wards, and in each ward there are elected, depending upon the population, members of the governing authority of that parish, which you would call a county in other States. And from each ward there are elected, again depending upon the population, members of the school board system. The name "ward" in this instance is a political subdivision of the parish from which the ward officers are drawn or elected. So I affirm the fact it is a part of the school system of each parish.

Mr. WELTNER. So it is a publicly financed and publicly owned facility in which this Klavern known as the Pearl River Hunting and Fishing Lodge was located?

Mr. APPELL. Those are the results of our investigation.

Mr. WELTNER. Thank you.

Mr. BUCHANAN. I am intrigued about the use of the school

Do you feel, sir, this is a proper use of public property, to use a school building as a place for a Klan meeting?

Mr. ROWLEY. Sir, I respectfully refuse to answer the question on the grounds previously stated.

THE CHAIRMAN. I would give as my opinion, coming from Louisiana and being familiar with the school system there and the operation of the public buildings, that if a Klan organization—or rather an organization dedicated to peace, order, and law enforcement asked for the building, the school authorities would make the building available.

Mr. BUCHANAN. May I inquire?

You are the second schoolman we have had here today, and I think it is fair to state heretofore, in looking into the Klan, we found a number of people of rather limited education in positions of leadership. You are a man of some education, of responsibility in the field of education, and working with young people. I am intrigued, therefore, to learn what it is that drew you toward the Ku Klux Klan or makes you feel, as a school official and one with your influence on young people, that this is the sort of an organization of which you ought to be a part.

Would you tell us what it is about the Klan that makes you feel it is the kind of organization you ought to support and a man in your position of responsibility ought to support?

Mr. ROWLEY. Sir, I respectfully refuse to answer on the grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. I would like to ask Mr. Rowley whether or not approval was given for the Klan to meet in his school by the ward school board?

Mr. ROWLEY. Sir, I respectfully refuse to answer the question on the grounds previously mentioned.

Mr. APPELL. The staff has no further questions to ask this witness.

The CHAIRMAN. The witness is excused, and the committee stand in recess for 5 minutes.

(Whereupon the subcommittee recessed and reconvened at 3:30 p.m. with the following subcommittee members present at time of recess and when hearings resumed: Representatives Willis, Weltner, and Buchanan.)

The CHAIRMAN. The subcommittee will come to order.

Proceed, Mr. Appell.

Mr. APPELL. Mr. Kinch Miley.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MILEY. I do.

**TESTIMONY OF KINCH WILSON MILEY, ACCOMPANIED BY
COUNSEL, MICHAEL S. INGRAM**

Mr. APPELL. State your full name for the record, Mr. Miley.

Mr. MILEY. Kinch Wilson Miley.

Mr. APPELL. Are you represented by counsel?

Mr. MILEY. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, from Baton Rouge, Louisiana.

Mr. APPELL. Mr. Miley, you are appearing before the committee today in accordance with a subpoena served upon you at Route 1, Varnado, Louisiana, on October 26, 1965?

Mr. MILEY. Yes, sir.

Mr. APPELL. Is Route 1, Varnado, Louisiana, your residence, Mr. Miley?

Mr. MILEY. Yes, sir.

Mr. APPELL. Mr. Miley, would you state for the record your educational background?

Mr. MILEY. I respectfully refuse to answer on the grounds that it might intend to incriminate me, and on the further grounds that it might violate my rights under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. Mr. Miley, are you currently employed as a schoolbus driver?

Mr. MILEY. I refuse to answer that question on the grounds previously stated.

Mr. APPELL. Mr. Miley, are you currently a member of a Klan organization?

Mr. MILEY. I refuse to answer on the grounds previously stated.

Mr. APPELL. Are you currently a member of the Anti-Communist Christian Association?

Mr. MILEY. I refuse to answer that question on the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to this committee the results of our investigation as they pertain to Mr. Miley.

Mr. Miley, as a member of the Bogalusa Unit of the Original Knights of the Ku Klux Klan, was the purchaser of ammunition and weapons from Howard M. Lee, the Bogalusa former exalted cyclops who was arrested and convicted of violation of ATU regulation governing licensed gun dealers.

Records in Lee's possession reflect entries as follows:

Kinch Miley, 500 rounds of ammunition.

The second entry: Two pistols, .32 caliber, Savage automatics, No. 27258, No. 160634.

Four weapons not described, with Serial Nos. RA4844, OK6890, 3N6537, UI6718.

Another entry: Three weapons, not described.

Mr. Miley, what disposition did you make of the weapons and ammunition obtained by you according to the records of gun dealer Howard M. Lee?

Mr. MILEY. I refuse to answer on the grounds previously stated.

(Excerpts from Howard M. Lee's records marked "Kinch Miley Exhibit No. 1" follow:)

KINCH MILEY EXHIBIT NO. 1

Frank Mingo 40 rounds
 y 6.5 Ammo 15.20
 Kinch Miley (500 rounds) 65.00
 Lee Spears (40 rounds) 20
 100 rounds for Lee, La.
 (Eric Peterson)
 200 rounds for Lee, La.
 (Eric Peterson)
 200 rounds for Lee, La.
 (Eric Peterson)
 200 rounds for Lee, La.
 (Eric Peterson)

Kinch Miley
 totals 32 cal Savage auto's
 7258 #160634

KINCH MILEY
 RA 4844 BN 6537
 OK 6890 UI 6718

Mr. APPELL. Did you dispose of any of the ammunition, pistols, or other weapons to individuals known to you to be members of the Ku Klux Klan?

Mr. MILEY. I refuse to answer on the grounds previously stated.

Mr. APPELL. Did you ever serve on an official organization of the Klan known as the wrecking crew?

Mr. MILEY. I refuse to answer on the grounds previously stated.

Mr. APPELL. To your knowledge, was any of the ammunition or weapons obtained by you from Howard Lee used for the purpose of carrying out a wrecking crew assignment?

Mr. MILEY. I refuse to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of Mr. Miley.

The CHAIRMAN. Mr. Miley, I assume that Varnado is in Washington Parish.

Mr. MILEY. Yes.

The CHAIRMAN. What ward of Washington Parish is that town in?

Mr. MILEY. What is that question again?

The CHAIRMAN. What ward of the parish is that town in? What ward number of Washington Parish?

Mr. MILEY. Ward 5.

The CHAIRMAN. Now I ask you a question on which you may want to consult your counsel. I assume that you are a bus driver representing the public school system in Ward 5 of Washington Parish?

Mr. MILEY. Repeat the question, please.

The CHAIRMAN. I say I assume that you are a bus driver representing the public school system of Ward 5 of Washington Parish?

Mr. MILEY. I refuse to answer on the grounds previously stated.

The CHAIRMAN. Have you made public statements or have you appeared at public meetings to discuss activities of the Klan of which you are a member?

Mr. MILEY. I refuse to answer on the grounds previously stated.

The CHAIRMAN. Have you ever, in the course of your daily transportation of school children, which would be bringing them to school in the morning and driving them back home after school hours, discussed with these school children Klan activities or made suggestions to them that they consult with their parents to join up?

Mr. MILEY. I refuse to answer on the grounds previously stated.

The CHAIRMAN. Are there any questions?

The witness is excused.

Mr. APPELL. Mr. Robert Stallings.

The CHAIRMAN. Raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STALLINGS. I do.

TESTIMONY OF ROBERT EARL STALLINGS, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Would you state your full name for the record?

Mr. STALLINGS. Robert Earl Stallings.

Mr. APPELL. When and where were you born, Mr. Stallings?

Mr. STALLINGS. July 28, 1937, in Bogalusa, Louisiana.

Mr. APPELL. Are you represented by counsel?

Mr. STALLINGS. I am.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. INGRAM. Yes. My name is Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Stallings, are you appearing here this afternoon in accordance with a subpoena served upon you at 344 Columbia Road, Bogalusa, on the 28th day of December 1965?

Mr. STALLINGS. Yes.

Mr. APPELL. Mr. Stallings, under the terms of this subpoena you are called up to produce:

All books, records, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan, the Original Knights of the Ku Klux Klan of Louisiana, the Louisiana Rifle Association, the Christian Constitutional Crusaders, and the Anti-Communist Christian Association in your possession, custody or control, or maintained by you or available to you as present or past officer or member of the Original Knights of the Ku Klux Klan, the Original Knights of the Ku Klux Klan of Louisiana, the Louisiana Rifle Association, the Christian Constitutional Crusaders, and the Anti-Communist Christian Association.

I ask you if you have those documents and if you will produce them, sir.

(Documents produced.)

Mr. APPELL. Mr. Chairman, I would like the record to show that, in accordance with the attachment to the subpoena and the demand made on Mr. Stallings, Mr. Stallings has produced certain records. These records, Mr. Chairman, consist of monthly ledger cards of an account maintained by the Parish A.C.C.A. at the First State Bank & Trust Company, Bogalusa, Louisiana, copies of deposit slips, account signature card,¹ and eight checks drawn against the account.²

These are identical, Mr. Chairman, to the records which the committee received from the bank in accordance with a subpoena duces tecum.

(Ledger cards and deposit slips marked "Robert Stallings Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Mr. Stallings, would you give the committee a brief outline of your educational background?

Mr. STALLINGS. I refuse and decline to answer the question propounded to me on the grounds that it might incriminate me and on the further grounds that the answers would tend to violate my rights as guaranteed under the 1st, 4th, 5th, and the 14th amendments to the Constitution of the United States.

Mr. APPELL. Would you please give to the committee your employment background, including current employment?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you are employed by the bank in which this account was maintained.

¹ Previously marked "John Magee Exhibit No. 2."

² Previously marked "John Magee Exhibit No. 3."

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. Mr. Stallings, according to one of the items supplied by you, the copy of the signature card maintained by the bank (John Magee Exhibit No. 2), the card reflects that Robert E. Stallings, who is yourself, was the signature of the authority to the bank to honor checks drawn against the account in the name of the Parish A.C.C.A., including the names of J. E. Magee, B. R. Crain, and Sidney Brock. In light of the fact that these records which you supplied show that you are the responsible officer of the Parish A.C.C.A. granting to the bank the authority to honor checks, I now ask you if these documents are all of the documents in your possession called for in the attachment to the subpoena under which you delivered these documents?

Mr. STALLINGS. The manner in which the question is phrased, I respectfully refuse to answer the question on the grounds I previously stated.

The CHAIRMAN. Would you care to explain it in your own language? Would you care to?

Frankly, I am going to ask the examiner to rephrase his question. We want the facts here.

Mr. APPELL. Mr. Stallings, are there any documents in your possession called for in the attachment to the subpoena which you have not produced before this committee in accordance with the attachment?

Mr. STALLINGS. Would you repeat the question, please?

Mr. APPELL. Are there any documents in your possession called for to be produced in the attachment to your subpoena which you have not produced in response to the subpoena?

Mr. STALLINGS. No, sir; this is all the documents I have.

The CHAIRMAN. I do not know that you followed the question. I do not want to confuse you in the least. That would have been my subsequent question. The question he asked you was, Are the documents that you have produced the only documents called for? Now let me explain. It may be—I do not know myself—that the subpoena called for other documents. Perhaps you do not have them. If that is the case, I would suggest that you say, subject to your counsel; "No, the subpoena called for other documents, but I don't have them and I have never had them," if that is the case. I think counsel understands that and I am trying to clarify the record. That is all I want.

(Witness confers with counsel.)

The CHAIRMAN. Do you understand what I am driving at, Mr. Ingram?

Mr. INGRAM. Yes, sir.

The CHAIRMAN. I might tell you, Mr. Ingram, in all frankness, my next question would be, since we are talking about possession, that the subpoena called for documents either in his possession or under his custody or control, or available to him or maintained by him. I just want to make it plain; that is all.

To be perfectly frank with you, I would like to see one witness who has responded to the call of the subpoena.

Mr. STALLINGS. The documents which I have produced are all of the documents, books and records, correspondence, and memoranda which I have in my possession, custody—

The CHAIRMAN. Which I "have" or "had"?

Mr. STALLINGS. Which I have. Shall I start over?

The CHAIRMAN. Yes, please.

Mr. STALLINGS. The documents which—

The CHAIRMAN. Talk a little louder.

Mr. STALLINGS. The documents which I have produced are all the documents, records, books, correspondence, and memoranda which I have or have had in my possession, custody, or control or which I have or have had access to.

The CHAIRMAN. Mr. Stallings, as to this portion of your testimony—I do not know what comes next—I tell you that I appreciate or once somebody properly responding to a subpoena issued by this committee. I accept your tender as satisfying the subpoena.

Go ahead.

Mr. APPELL. Mr. Stallings, do you know John Magee, who appeared before the three-judge court in Louisiana and identified himself as treasurer of the Anti-Communist Christian Association, whose account carried the name of the Parish A.C.C.A.?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds I previously stated.

Mr. APPELL. Mr. Magee testified that the other members of the finance committee were Sidney Brock, Billy Crain, and Robert Stallings. Will you explain to the committee the formation, purpose, and organization of the finance committee of the Anti-Communist Christian Association?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. Mr. Magee testified that while he was treasurer, the funds were handled by Mr. Saxon Farmer. Was his testimony truthful?

Mr. STALLINGS. I—

The CHAIRMAN. You mean he testified in the Federal court injunction proceedings?

Mr. APPELL. Yes, sir.

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds I previously stated.

Mr. APPELL. Mr. Stallings, the deposit slip of March 22, 1965, of the First State Bank, which deposit slip shows a deposit of currency \$100 and silver of 68 cents—

The CHAIRMAN. Complete your question and the answer to it, and then defer.

Mr. APPELL. —which reflects that this is a new account, contains the person who received the funds for the bank a signature which interpret as "Robert E." or "R. E. Stallings." Will you tell the committee from what source you received this money, either as a bank employee or as a member of the finance committee of the Parish A.C.C.A.?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

The CHAIRMAN. As chairman of the full House Committee on Un-American Activities, I hereby reconstitute the subcommittee to conduct the hearings for the balance of the afternoon as the following: Myself

as chairman, Mr. Weltner and Mr. Buchanan as the other two members, so for the balance of the afternoon two members shall constitute a quorum of the subcommittee of three.

(At this point Mr. Weltner left the hearing room.)

Mr. APPELL. Mr. Stallings, as a member of the A.C.C.A. did you at any time execute an application for membership which application had on its face "Application for Citizenship in the Invisible Empire, The Original Ku Klux Klan"? I exhibit to you a copy of an application.

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds previously stated.

(Document previously marked "Murry Martin Exhibit No. 1.")

Mr. APPELL. As a member of the A.C.C.A., did you ever swear to a series of oaths, copies of which I am now handing you?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

(Documents previously marked "John Swenson Exhibit No. 1.")

Mr. APPELL. Mr. Stallings, in the month of November were you called to jury duty at the courthouse in Franklinton, Louisiana?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. I put it to you as a fact, and ask you whether or not, when examined as a prospective juror in a case, you were asked whether or not you were the Stallings identified as a member of the A.C.C.A. before the three-judge court in Louisiana, and that you denied that you were, with the explanation that the name in that record was R. L. Stallings and that you are R. E. Stallings?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. Mr. Stallings, in the canceled checks which you submitted under the subpoena duces tecum, there are checks on December 22, 1965, in the amount of \$135, payable to cash, cosigned J. E. Magee, Robert E. Stallings; August 2, 1965, to cash, in the amount of \$77.40, signed J. E. Magee, Robert E. Stallings; July 2, 1965, to cash, in the amount of \$106.48, cosigned J. E. Magee, Robert E. Stallings; July 2, 1965, a check to cash for \$93, cosigned J. E. Magee, Robert E. Stallings; a check of March 28, 1965, to the District A.C.C.A., in the amount of \$39—strike that one because it is not cosigned by Mr. Stallings—a check dated April 15, 1965, to cash, in the amount of \$69, cosigned J. E. Magee, Robert E. Stallings; a check dated May 24, 1965, to cash, in the amount of \$170.90, cosigned J. E. Magee, Robert E. Stallings; a check dated May 29, 1965, to cash—strike that one.

Mr. Stallings, I would like to ask you the purpose for which the money was used from checks made payable to cash, cosigned by yourself.

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

(Checks previously marked "John Magee Exhibit No. 3.")

The CHAIRMAN. You wrote the checks.

Mr. APPELL. Was the income that went into this account income received from units of the A.C.C.A. which were identical to the Klan Klavern?

Mr. STALLINGS. I respectfully refuse to answer the question on the grounds that I previously stated.

Mr. APPELL. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. APPELL. Mr. Houston Pierce Morris.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MORRIS. I do.

TESTIMONY OF HOUSTON PIERCE MORRIS

Mr. APPELL. Will you state your full name for the record, Mr. Morris?

Mr. MORRIS. Houston Pierce Morris.

Mr. APPELL. Before proceeding further, Mr. Morris, I note that you are not accompanied by counsel. Do you desire counsel?

Mr. MORRIS. No.

The CHAIRMAN. Do you understand, Mr. Morris, that you have a right—if you do not, I am now telling you—to in your own way invoke the fifth amendment if you desire? Do you understand you have that right?

Mr. MORRIS. Yes.

The CHAIRMAN. I say that because you do not have a lawyer. You have that right. It will be given to you and accorded to you just as if you had a lawyer with you.

Mr. APPELL. Mr. Morris, when and where were you born?

Mr. MORRIS. October 4, 1935, Rayville, Richland Parish, Route 4, box 616. Now I reside at 112 Texas Avenue, Monroe, Louisiana.

Mr. APPELL. Mr. Morris, will you give the committee your educational background?

Mr. MORRIS. I respectfully decline to answer that question for the reason that I honestly feel it might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Morris, you are appearing before the committee in accordance with a subpoena served upon you the 26th day of October, 1965, at 112 Texas Avenue, Monroe, Louisiana?

The CHAIRMAN. The question is, you are appearing here because you were subpoenaed to come here. That is the question.

Mr. MORRIS. That is correct.

Mr. APPELL. Mr. Morris, the subpoena served upon you calls for you to produce certain books and records described in an attachment to the subpoena which is made a part of the subpoena. Paragraph 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan—Louisiana, Original Knights of the Ku Klux Klan of America, Inc.—Louisiana, and United Klans of America—Louisiana, in your possession, custody or control, or maintained by you or available to you as officer and/or member of the above-mentioned organizations.

[ask you to produce the documents called for.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated

October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America. I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, because that information is not relevant and germane to any subject under investigation and the same would not aid the Congress in the consideration of any legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. Mr. Morris, I am not going to ask you a question, but I am just telling you that that response has been used many times, but yours is in very good form.

Were you here in the hearing room when I explained to the witnesses that this subpoena called on you to produce papers, books, documents, and so forth?

Mr. MORRIS. Yes.

The CHAIRMAN. Not that they belonged to you, but in your capacity as an officer. You understand that?

Mr. MORRIS. Yes, sir.

The CHAIRMAN. I order and direct you to furnish those.

Mr. MORRIS. I respectfully decline to produce the documents asked for by the committee in the subpoena dated October 14, 1965 for the reason I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America. I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 14, 1965. That information is not relevant and germane to the subject under investigation and the same would not aid the Congress in its consideration of legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Morris, I would advise you that in the future in answer to a demand to produce documents all of your rights will be protected if you will respond by the language you "refuse to produce for the reasons previously stated." That would include all of the reasons which you have stated.

I would like to ask you, however, Mr. Morris, before asking for the production of documents contained in part 2, whether or not in connection with the legal advice that you received with respect to your appearance here if you were advised by counsel of the opening statement of the chairman in October 1965, which set forth the purposes of the hearing and the designation of the subcommittee, and whether or not you understand them.

Mr. MORRIS. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Morris, on the first day of the hearings, I made what is called an opening statement which indicates the reasons.

purposes, objectives, the scope, and the purpose of holding the hearings. All witnesses who appeared here with a lawyer agreed that either the lawyer had explained my statement or he was familiar with it. You said you were not.

Therefore, I now hand you a copy of my opening statement of October 19, 1965, and I shall excuse you for a few minutes so you will have a chance to read it.

Call the next witness.

Mr. APPELL. Mr. Robert Fuller.

The CHAIRMAN. Will you raise your right hand, sir?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FULLER. I do.

TESTIMONY OF ROBERT WILLIAM FULLER

Mr. APPELL. Will you state your full name for the record, Mr. Fuller?

Mr. FULLER. Robert William Fuller.

Mr. APPELL. Mr. Fuller, you are not represented by counsel. Do you desire counsel?

Mr. FULLER. No, sir. I have consulted one and I will go from that, if you don't mind.

Mr. APPELL. I had a conversation with your counsel, Mr. Venable. He explained to me that he had advised you of the purposes of the hearing as contained in the opening statement. You are familiar with the purpose for which this hearing is being conducted?

Mr. FULLER. Yes, sir, I am.

The CHAIRMAN. One more question of Mr. Fuller.

Mr. Fuller, I want you to know because you are entitled to it—it is your choice to invoke constitutional privileges if you wish to. I want you to know that.

If you do, that right is a sacred one and it will be respected as if you had a lawyer.

Mr. FULLER. Yes, sir.

Mr. APPELL. Mr. Fuller, when and where were you born?

Mr. FULLER. Monroe, Louisiana, November 11, 1920.

Mr. APPELL. Are you appearing before the committee this afternoon in accordance with a subpoena served upon you on the 26th day of October, 1965 at 608 Winnsboro Road, Monroe, Louisiana?

Mr. FULLER. Yes, sir; that is right.

Mr. APPELL. Mr. Fuller, the subpoena served upon you calls for you to produce:

All books, records, documents correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan of America—Louisiana, also Original Knights of the Ku Klux Klan and affiliated organizations in your possession, custody or control, or maintained by you or available to you as member and/or officer of the Original Knights of the Ku Klux Klan of America—Louisiana, also the Original Knights of the Ku Klux Klan—Louisiana.

I ask you to produce those documents, sir.

Mr. FULLER. I respectfully refuse to do so. I honestly believe that it might tend to incriminate me and is in violation of my constitutional rights provided in article—1, 4, 5, and 14th amendments of the Constitution of the United States.

Mr. APPELL. Mr. Chairman, I ask for a direction to the witness.

The CHAIRMAN. You were in the hearing room when I explained to the previous witnesses that this subpoena served on you calls upon you to produce documents, not of your own, but in your capacity as stated in that subpoena.

You understand that, do you?

Mr. FULLER. Any what, now, sir?

The CHAIRMAN. That the subpoena calls upon you to produce documents which might have been in your possession—not belonging to you but held, controlled, or possessed by you as an officer of the Klan. In other words, it is not a call for personal papers. There is a distinction.

I say, you understand that?

Mr. FULLER. Yes, sir. I still stick to this. I understand it; yes, sir.

The CHAIRMAN. All right. Then under the circumstances I order you to produce them. Since you have no lawyer, you may, if you wish, repeat your refusal to produce them.

Mr. FULLER. Yes, sir. I respectfully refuse to produce records, and I honestly believe that it might tend to incriminate me in violation of the constitutional rights as provided in amendments 1, 4, 5, and 14th of the Constitution of the United States.

Mr. APPELL. Mr. Fuller, I hand you a series of oaths given to members of the Original Knights of the Ku Klux Klan, and ask you to examine these series of oaths and ask you whether you ever subscribed to them?

(Documents previously marked "John Swenson Exhibit No. 1.")

Mr. FULLER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. You're almost a lawyer yourself.

Mr. FULLER. Thank you, Mr. Willis. I don't have much education. I have to try to look out for myself.

Mr. APPELL. Mr. Fuller, are you familiar with the Klavern of the Ku Klux Klan in Louisiana known by the designation of the Monroe Hunting and Fishing Club?

Mr. FULLER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Did you know the gentleman who was just excused from the witness chair?

Mr. FULLER. I respectfully decline to answer that question, sir, on the same ground previously stated.

Mr. APPELL. Is it a fact that you succeeded him as the exalted cyclops of the Klavern known as the Monroe Hunting and Fishing Club?

Mr. FULLER. That question again, please, sir?

Mr. APPELL. I put it to you as a fact that you succeeded him as the exalted cyclops.

Mr. FULLER. You said it was a fact, though, sir. I didn't.

Mr. APPELL. I ask you to affirm or deny the fact.

Mr. FULLER. I decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to this committee the results of our investigation as they pertain to Mr. Fuller.

Mr. Fuller has been in a leadership capacity in the Klan in Louisiana since shortly after its activation in the beginning of the 1960's.

In 1963 he became the exalted cyclops of the Klavern known as the Monroe Hunting and Fishing Club.

He later became chief of the Klan Bureau of Investigation under J. D. Swenson and Royal V. Young and received compensation from its account operated under the front or cover name Louisiana Rifle Association.

He led the revolt against the leadership of Swenson and Young, using the charge that they were only interested in the money they were getting from Klan income.

Fuller became a leader under the reorganized Original Knights of the Ku Klux Klan, and from this organization he received compensation in the amount of \$3,955.47 during the period of February 11, 1964, through September 29, 1964, from that organization's account known as the Christian Constitutional Crusaders.

Fuller and other leaders under Murry H. Martin broke with Martin at the end of 1964 and incorporated an organization known by the name of the Original Knights of the Ku Klux Klan of America, Inc., in March 1965 for the purpose of attempting to bring all Louisiana Klansmen under its banner.

In June 1964, the bulk of the officers and members of the Knights of the Original Ku Klux Klan of America, Inc., joined the United Klans of America, Inc. The Monroe Hunting and Fishing Club, of which Mr. Fuller was an exalted cyclops, had gone into the United Klans of America, Inc., which operates in Louisiana under the front or cover name of the Louisiana Rescue Service in the fall of 1964.

According to the records of the Monroe Hunting and Fishing Club maintained at the Central Savings Bank & Trust Company, Monroe, Louisiana, Mr. Fuller was described in the account, on authority of the signature, as president, and he remained as president from August 21, 1963, to January 21, 1964.

This information, Mr. Chairman, leads us to believe that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

The CHAIRMAN. Mr. Fuller, the name of the man who made this statement is Don Appell. He is the chief investigator of this committee. He is under oath, just as you are.

Now I will give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, or to explain or modify any part of that statement.



In addition I shall give you the opportunity, if you like, to offer any other matter which this committee may deem relevant to this inquiry.

Do you care to avail yourself of that opportunity?

Mr. FULLER. Mr. Chairman, I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. In that case, Mr. Fuller, I must inform you that since you did not take advantage of that opportunity, or if we do not come in possession of other facts, this committee will rely upon the accuracy of what Mr. Appell had to say. We have been very careful in our investigation and it has come from many sources.

In view of what I have said, would you care to say anything?

Mr. FULLER. In view of what, sir?

The CHAIRMAN. In view of the fact that unless you choose to explain or deny or affirm or comment on what Mr. Appell had to say, the committee will assume that what he said is true. We assume that in view of that.

If you want to, I will now give you another opportunity to say anything you want.

Mr. FULLER. I state the same, Mr. Chairman.

The CHAIRMAN. In other words, you refuse on the grounds previously stated?

Mr. FULLER. Yes, sir; I respectfully decline to answer that question on the constitutional grounds previously stated.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Fuller, on June 26, 1965, I interviewed Houston P. Morris at Travel Lodge Motel in Monroe, Louisiana. Mr. Fuller explained that 3 weeks or so prior to the interview—

Mr. FULLER. Mr. Morris.

Mr. APPELL. —Mr. Morris stated that the bulk of his organization had gone over to the United Klans of America, but he said that you hadn't gone because you didn't want to give up your title.

Mr. FULLER. Didn't want to give up what, sir?

Mr. APPELL. Your title.

Mr. FULLER. I have no comment.

Mr. APPELL. I am asking you whether Mr. Morris' testimony was truthful?

Mr. FULLER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Fuller, I hand you two separate documents, forms issued by the Federal Communications Commission, both forms being applications for Class B, C, or D station license in the Citizens Radio Service. The first is Robert W. Fuller, dated 8-22-1964, and seeks authority to operate four transmitters.

The second, signed Robert W. Fuller, dated 8-14-64, is in the name of Fuller's Sanitation Service, and seeks authority to operate 10 transmitters.

I hand you these and ask you if these are factual copies of applications which you made.

Mr. FULLER. Sir, I respectfully decline to answer that question on the constitutional grounds previously stated.

(Documents marked "Robert Fuller Exhibits Nos. 1-A and 1-B," respectively. See pp. 2568-2571.)

The CHAIRMAN. What does that sanitation business do? You don't have to answer, but I am curious to know.

Mr. FULLER. Mr. Willis, I wouldn't mind answering that at the start. That's my business. But you have me way down in the middle of it, and I think that should have come up, sir, at the start of my program.

The CHAIRMAN. I won't press it.

Mr. FULLER. I will be glad to write you a letter and tell you concerning what it is. It's legitimate.

The CHAIRMAN. What I wanted to know was, really, that is an awful lot of transmitters to use in a cleaning or sanitation business.

Mr. FULLER. I have 18 pieces of equipment, no Klan equipment.

The CHAIRMAN. Why didn't you say in answer to previous questions at you had no Klan connections? I won't press the question because you don't have a lawyer. You are now saying you have no Klan connections. I don't know what you mean by that.

Mr. FULLER. I believe you asked me the question, sir—

The CHAIRMAN. I now ask you the question—Are you now, or have you ever been, a member of the Klan?

Mr. FULLER. I respectfully decline to answer that question on the grounds of my constitutional rights.

The CHAIRMAN. Are you now, or have you ever been, an officer of the Klan?

Mr. FULLER. I state the same. I respectfully decline to answer.

The CHAIRMAN. I thought you would.

Mr. APPELL. Mr. Fuller, have any of the transmitters authorized for you ever been used to carry out any activity on the part of the Klan?

Mr. FULLER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Fuller, if Mr. Morris's statement to me was truthful, that you did not go into the Klan, United Klan, what Klan organization, if any, are you now affiliated with?

Mr. FULLER. I respectfully decline to answer that question on the constitutional grounds previously stated.

Mr. APPELL. Mr. Fuller, do you continue membership in the Monroe Hunting and Fishing Club which in October of 1964 was a Klavern of the Louisiana Rescue Service?

Mr. FULLER. Sir, I respectfully decline to answer that question on constitutional grounds previously stated.

Mr. APPELL. I have no further questions to ask of this witness.

The CHAIRMAN. You are excused.

Mr. FULLER. May I ask a question, if it is permissible?

The CHAIRMAN. It is perfectly all right with me.

I must warn you, if you do he will ask some of you.

Mr. FULLER. Maybe I will ask him later. It is important, but not in investigation.

The CHAIRMAN. I will be glad to talk to you.

Mr. FULLER. Thank you, sir.

Robert Fuller Exhibits Nos. 1-A and 1-B introduced above (w :)

ROBERT FULLER EXHIBIT NO. 1-A—Continued

19. IF APPLICANT IS A NONGOVERNMENTAL CORPORATION, ANSWER THE FOLLOWING ITEMS:		YES	NO	20. IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS:		YES	NO
IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN COUNTRY?							
IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?							
IS MORE THAN ONE-FIFTH OF THE CAPITAL STOCK EITHER OWNED OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?							
IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items E through K below)							
GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION							
UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?							
IS MORE THAN ONE-FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)							
IS ANY OFFICER OR MORE THAN ONE-FOURTH OF THE DIRECTORS OF CONTROLLING CORPORATION AN ALIEN? (If yes, answer items E and J below)							
TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION							
LIST ALL OFFICERS AND DIRECTORS WHO ARE ALIENS IN CONTROLLING CORPORATION AND GIVE BRIEF BIOGRAPHICAL STATEMENT FOR EACH ALIEN							
NAME		NATIONALITY		OFFICE HELD			
THE CONTROLLING CORPORATION IN TURN CONTROLLED OTHER COMPANIES? (If yes, attach information for each these controlling companies covering the information requested in items E through J, above)				<input type="checkbox"/> YES <input type="checkbox"/> NO			

USE THIS SPACE FOR ANY ADDITIONAL INFORMATION OR REMARKS

Address is 1500 Sunset

Robert W. Fuller 8-22-64
Signature Date

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

THE STATEMENTS MADE IN THE APPLICATION AND ATTACHED EXHIBITS ARE CONSIDERED MATERIAL REPRESENTATIONS, AND ALL THE EXHIBITS ARE PART HEREOF AND ARE INCORPORATED HEREIN AS IF SET OUT IN FULL IN THE APPLICATION.

TIFY THAT:

- 1. applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service;
- 2. applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise;
- 3. applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application;
- 4. station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission;
- 5. said station will not be used for any purpose contrary to Federal, State or local law;
- 6. applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons; and
- 7. statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

DO NOT OPERATE UNTIL YOU HAVE YOUR OWN LICENSE. IF ANY CALL SIGN NOT YOUR OWN IS PROHIBITED.

SIGNATURE: Robert W. Fuller

(Check appropriate box below):

☒ INDIVIDUAL APPLICANT☐ MEMBER OF APPLICANT PARTNERSHIP☐ OFFICER OF APPLICANT CORPORATION OR ASSOCIATION☐ OFFICIAL OF GOVERNMENTAL ENTITY

ROBERT FULLER EXHIBIT No. 1-B

FCC FORM 406
REVISED MAY 1964UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20540FORM APPROVED
SUBMIT NUMBER NO. 0-00000APPLICATION FOR CLASS B, C, OR D STATION LICENSE IN THE
CITIZENS RADIO SERVICE

DO NOT WRITE IN THIS BLOCK

FCC 800

345803 AUG 1964

F.L. FULLER, JR.

1. Application for Class A station license must be filed on FCC FORM 406.
2. Complete on typewriter or print clearly.
3. Be sure application is signed and dated. Mail application to Federal Communications Commission, Gettysburg, Pa. 17325.
4. Enclose appropriate fee with application, if required. DO NOT SUBMIT CASH. Make check or money order payable to Federal Communications Commission. (See Part 19, Volume VI of FCC rules to determine whether a fee is required with this application.)

1. NAME OF APPLICANT BUSINESS NAME (OR LAST NAME, IF AN INDIVIDUAL) <u>FULLER'S SANITATION SERVICE</u> FIRST NAME (IF AN INDIVIDUAL) _____ MIDDLE INITIAL _____			9. DOES EACH TRANSMITTER TO BE OPERATED APPEAR ON THE COMMISSION'S "RADIO EQUIPMENT LIST, PART C" OR, IF FOR CLASS C OR CLASS D STATIONS, IS IT CRYSTAL-CONTROLLED? (If no, attach detailed description: see subpart C of Part 18) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO										
2. IF AN INDIVIDUAL OPERATING UNDER A TRADE NAME, GIVE INDIVIDUAL NAME, OR IF PARTNERSHIP, LIST NAMES OF PARTNERS (Do not repeat any name used in item 1) <table border="1"> <thead> <tr> <th>LAST NAMES</th> <th>FIRST NAMES</th> <th>MIDDLE INITIAL</th> </tr> </thead> <tbody> <tr> <td><u>FULLER</u></td> <td><u>Robert</u></td> <td><u>W</u></td> </tr> <tr> <td><u>FULLER</u></td> <td><u>FRANCES</u></td> <td><u>M.</u></td> </tr> </tbody> </table>			LAST NAMES	FIRST NAMES	MIDDLE INITIAL	<u>FULLER</u>	<u>Robert</u>	<u>W</u>	<u>FULLER</u>	<u>FRANCES</u>	<u>M.</u>	10. A. WILL APPLICANT OWN ALL THE RADIO EQUIPMENT? (If no, answer B and C below) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO B. NAME OF OWNER _____ C. IS THE APPLICANT A PARTY TO A WRITTEN LEASE OR OTHER AGREEMENT UNDER WHICH THE OWNERSHIP OR CONTROL WILL BE EXERCISED IN THE SAME MANNER AS IF THE EQUIPMENT WERE OWNED BY THE APPLICANT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
LAST NAMES	FIRST NAMES	MIDDLE INITIAL											
<u>FULLER</u>	<u>Robert</u>	<u>W</u>											
<u>FULLER</u>	<u>FRANCES</u>	<u>M.</u>											
3. MAILING ADDRESS NUMBER AND STREET <u>PO Box 213</u> CITY <u>Monroe</u> STATE <u>LA</u> ZIP CODE _____ COUNTY OR EQUIVALENT SUBDIVISION <u>OUACHITA</u>			11. HAS APPLICANT READ AND UNDERSTOOD THE PROVISIONS OF PART 18, SUBPART D, DEALING WITH PERMISSIBLE COMMUNICATIONS FOR WHICH THIS CLASS OF STATION MAY BE USED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 12. WILL THE USE OF THE STATION CONFORM IN ALL RESPECTS WITH THE PERMISSIBLE COMMUNICATIONS AS SET FORTH IN PART 18, SUBPART D? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO										
4. CLASSIFICATION OF APPLICANT (See instructions) <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> GOVERNMENTAL ENTITY <input checked="" type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER (Specify): _____			13. WILL THE STATION BE OPERATED BY ANY PERSON OTHER THAN THE APPLICANT, MEMBERS OF HIS IMMEDIATE FAMILY, OR HIS EMPLOYEES? (If yes, attach a separate sheet listing the names and relationship of all such persons and give a detailed reason for their operation of your station) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO										
5. CLASS OF STATION (Check only one) <input type="checkbox"/> CLASS B <input type="checkbox"/> CLASS C <input checked="" type="checkbox"/> CLASS D			14. IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY OF THE PARTNERS AN ALIEN? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO										
6. IS THIS APPLICATION TO MODIFY OR RENEW AN EXISTING STATION LICENSE? <input type="checkbox"/> YES (Give call sign): _____ <input checked="" type="checkbox"/> NO			15. IS APPLICANT THE REPRESENTATIVE OF ANY ALIEN OR ANY FOREIGN GOVERNMENT? (If yes, explain fully) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO										
7. DO YOU NOW HOLD ANY STATION LICENSE, OTHER THAN THAT COVERED BY ITEM 6, OF THE SAME CLASS AS THAT REQUESTED BY THIS APPLICATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			16. WITHIN 10 YEARS PREVIOUS TO THE DATE OF THIS APPLICATION, HAS THE APPLICANT OR ANY PARTY TO THIS APPLICATION BEEN CONVICTED IN A FEDERAL, STATE, OR LOCAL COURT OF ANY CRIME FOR WHICH THE PENALTY IMPOSED WAS A FINE OF \$500 OR MORE, OR AN IMPRISONMENT OF 6 MONTHS OR MORE? (See instructions. If yes, attach a separate sheet giving details of each such conviction) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO										
8. TOTAL NUMBER OF TRANSMITTERS TO BE AUTHORIZED UNDER REQUESTED STATION LICENSE <u>10</u> (Number)			17. IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY PARTNER LESS THAN 18 YEARS OF AGE (LESS THAN 12 YEARS OF AGE IF FOR CLASS C STATION LICENSE)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO										
18. IF THE PRINCIPAL LOCATION WHERE THE STATION WILL BE USED IS DIFFERENT FROM THE MAILING ADDRESS (ITEM 3), GIVE THAT LOCATION. (DO NOT GIVE POST OFFICE BOX OR RFD NO.) NUMBER AND STREET <u>1500 SUNSET</u> CITY <u>Monroe</u> STATE <u>LA</u> IF LOCATION CANNOT BE SPECIFIED BY STREET, CITY, AND STATE, GIVE OTHER DESCRIPTION OF LOCATION			DO NOT WRITE IN THIS BOX SCREENING <input checked="" type="checkbox"/> Y <input type="checkbox"/> N SIGNATURE <input checked="" type="checkbox"/> Y <input type="checkbox"/> N										

SIGN AND DATE THE APPLICATION ON REVERSE SIDE

ROBERT FULLER EXHIBIT No. 1-B—Continued

19. IF APPLICANT IS A NONGOVERNMENTAL CORPORATION, ANSWER THE FOLLOWING ITEMS:		YES	NO	20. IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS:		YES	NO
IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN GOVERNMENT?							
IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?							
IS MORE THAN ONE FIFTH OF THE CAPITAL STOCK EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?							
IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items B through K below)							
GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION							
UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?							
IS MORE THAN ONE FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)							
IS ANY OFFICER OR MORE THAN ONE-FOURTH OF THE DIRECTORS OF THE CONTROLLING CORPORATION AN ALIEN? (If yes, answer items I and J below)							
TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION							
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NAME		NATIONALITY		OFFICE HELD			
IS THE CONTROLLING CORPORATION IN TURN CONTROLLED BY OTHER COMPANIES? (If yes, attach information for each of these controlling companies covering the information requested in items B through J, above)				<input type="checkbox"/> YES <input type="checkbox"/> NO			

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CERTIFY THAT:

The applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service.

The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise.

The applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application.

The station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission.

The said station will not be used for any purpose contrary to Federal, State or local law.

The applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons; and

The statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

DO NOT OPERATE UNTIL YOU HAVE YOUR OWN LICENSE.
IF ANY CALL SIGN NOT YOUR OWN IS PROHIBITED.

SIGNATURE: Robert M. Fuller DATE SIGNED: 9-14-64
(Check appropriate box below):
☐ INDIVIDUAL APPLICANT ☒ MEMBER OF APPLICANT PARTNERSHIP ☐ OFFICER OF APPLICANT CORPORATION OR ASSOCIATION ☐ OFFICIAL OF GOVERNMENTAL ENTITY

Mr. APPELL. I will recall Mr. Houston P. Morris.

TESTIMONY OF HOUSTON PIERCE MORRIS—Resumed

The CHAIRMAN. Mr. Morris, during this interval when you were excused from the stand, I take it you have had opportunity to familiarize yourself with my stated reasons for the purposes of this hearing.

Mr. MORRIS. Right.

The CHAIRMAN. He says he is familiar with the opening statement.

Mr. APPELL. Mr. Morris, will you give the committee a brief résumé of your educational background?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the fact Mr. Morris did not know the content of your opening statement, the purpose of the hearings, I shall again ask him to produce the documents called for under the subpoena.

You were ordered and directed under the subpoena to produce under paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Original Knights of the Ku Klux Klan—Louisiana, Original Knights of the Ku Klux Klan of America, Inc.—Louisiana and United Klans of America—Louisiana, in your possession, custody or control, or maintained by you or available to you as an officer and/or member of the above-mentioned organizations.

I ask you to produce those documents.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as commanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, because that information is not relevant and germane to any subject under investigation and the same would not aid the Congress in the consideration of any legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. I ask for a direction for the production of documents called for in paragraph 1.

The CHAIRMAN. Were you in the hearing room when I explained, Mr. Morris, that this subpoena asked you to produce documents as an officer of the Klan and documents and papers of your own. Do you understand that?

Mr. MORRIS. Yes.

The CHAIRMAN. I therefore order and direct you to produce those documents.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as commanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel to do so might

tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, because that information is not relevant and germane to any subject under investigation and the same would not aid the Congress in the consideration of any legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Under part 2 of the subpoena, paragraph 2, you are directed to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the United Klans of America, Inc.—Louisiana, Original Knights of the Ku Klux Klan—Louisiana and the Original Knights of the Klu Klux Klan of America, Inc.—Louisiana, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as commanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

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Mr. APPELL. I ask for a direction for the production of documents called for in paragraph 2.

The CHAIRMAN. For the reasons indicated, I order and direct the witness to produce the documents.

Mr. APPELL. Mr. Morris, are you currently a member of the United Klans of America, Realm of Louisiana, which operates under the cover name of the Louisiana Rescue Service?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. I hand you a document, authority to the Central Savings Bank & Trust Company, Monroe, Louisiana, issued by the president and secretary of the Monroe Hunting and Fishing Club, which designates Houston Morris as president and contains the signature of Houston P. Morris, signed by Bruce Bairnsfather, secretary, and Houston P. Morris, president, and I ask you if you are the Houston P. Morris who signed that document.

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in

violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

(Document previously marked "Murry Martin Exhibit No. 6." See pp. 2369.)

The CHAIRMAN. Mr. Morris, a minute or two ago I ordered you to produce documents called for in paragraph 2. Somehow you did not respond. Mr. Appell then went to another question.

I now again order you to produce the documents called for in paragraph 2 of the subpoena.

Mr. MORRIS. I respectfully decline to deliver to the committee any and all documents as commanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, because that information is not relevant and germane to any subject under investigation and the same would not aid the Congress in the consideration of any legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. In view of the witness' claim of privilege and his consistent refusal to answer questions, I propose to present to the committee the results of our investigation as they pertain to Mr. Morris.

Mr. Morris was the first president and exalted cyclops of the Original Knights of the Ku Klux Klan Klavern in Monroe, Louisiana, known by the cover name of the Monroe Hunting and Fishing Club. He was the grand kleagle or State organizer of the Original Knights of the Ku Klux Klan under the leadership of J. D. Swenson and Royal V. Young. He was the grand kleagle—or state organizer, realm organizer—of the Original Knights under the leadership of Murry H. Martin. He was the leader of a faction which resulted in the removal of leadership of Royal V. Young and the succession of Murry H. Martin.

At the time of the election of Murry H. Martin, a deal was consummated between Mr. Martin and Mr. Morris whereby Mr. Morris would retain leadership of the organization, and Mr. Martin would retain leadership of the organization for 6 months until elections were to be held, at which time it was scheduled for Mr. Morris to take over the top office.

When Mr. Martin defeated Mr. Morris in elections in November 1964, Mr. Morris led dissension within that organization, and in 1965 incorporated the Original Knights of the Ku Klux Klan of America, Inc., along with Jack Saucier, 809 South Eighth Street, Monroe, and George Bonner, 1511 Alabama Street, Monroe.¹

After incorporation, Morris became the Imperial Wizard of the organization.

April 28, 1965, Mr. Morris addressed a letter to the secretary of state informing the secretary of state that he had resigned from the board

¹ See B. J. Saucier Exhibit No. 1, committee report, *The Present-Day Ku Klux Klan Movement*, pp. 320-324.

directors of the Original Ku Klux Klan of America, Inc., and advised the secretary of state that his letter of resignation had been accepted by the board of directors.¹

In May or June of 1965, Mr. Morris, together with other former members of the Original Knights of the Ku Klux Klan of America, c., met with Imperial Wizard Robert Shelton of the United Klans of America and took the bulk of his organization into the United Klans of America.

As the Imperial Wizard, Mr. Morris organized some Klansmen in the State of Arkansas. These Arkansas members are now under Mr. Shelton's organizational structure in that State.

This information, Mr. Chairman, leads us to believe that Mr. Morris possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Morris, the name of the gentleman who just made that statement is Mr. Appell. He is under oath just like you, and I now give you the opportunity to reply to any portion of that statement, to admit or deny the truth of any allegation, and explain and notify any part of the statement.

In addition, I give you the opportunity, if you wish, to offer any other matter the committee may deem pertinent to this inquiry.

Do you wish to avail yourself of this opportunity?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

The CHAIRMAN. In that case, Mr. Morris, I inform you that in the absence of your rebuttal, or other facts that may come to the attention of the committee, the committee will rely upon the accuracy of the investigation.

Do you wish to say anything to that?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

The CHAIRMAN. All right, proceed.

Mr. APPELL. Mr. Morris, were you interviewed by me at the Travelodge Motel in Monroe, Louisiana, on June 16, 1965?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Morris, did you admit to me during that interview that you were a member of the Klan, and that you had recently taken over the Klan organization, yourself and others, into the United Klans of America?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

¹ B. J. Sauder Exhibit No. 2, p. 2583.

Mr. APPELL. Mr. Morris, when I discussed with you income which you had received as an organizer for the Klan and asked you whether you had reported same on your income tax returns, you advised me you had reported it and for me to find it.

Is that factual, sir?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. In 1963, did you report \$925 of that as public good will donations?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. In 1964, did you report \$2,353.65 as donations from speeches at political meetings?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. In discussing the organizational structure of the Klan. Mr. Morris, did you advise me that the Klan was a nonviolent organization?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Did you admit to me that investigating procedures of new members was such that people prone to violence would not be kept out of membership in the Klan?

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Morris, this next statement I will put to you as a fact, and ask you to affirm or deny the fact.

When asked what action you would take against a member who was guilty of killing a Negro, that you responded, you "don't give a damn if they went out and killed 100."

Mr. MORRIS. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 4, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. I have no further questions, Mr. Chairman, to ask of this witness.

The CHAIRMAN. The witness is excused.

The committee stands in recess.

(Subcommittee members present: Representatives Willis and Buchanan.)

(Whereupon, at 5:10 p.m., Thursday, January 6, 1966, the subcommittee recessed, to reconvene at 10 a.m., Friday, January 7, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

FRIDAY, JANUARY 7, 1966

UNITED STATES HOUSE OF REPRESENTATIVES
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities, as reconstituted for the January 7 hearings, met, pursuant to recess, at 10:20 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Charles L. Weltner, of Georgia; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

As chairman of the full Committee on Un-American Activities, I hereby constitute a committee of three to conduct the hearings today, of the following: myself, as chairman of the subcommittee; Mr. Weltner, of Georgia; and Mr. Buchanan, of Alabama. And, of course, two members constitute a quorum of this subcommittee, and I announce the presence of a quorum.

Mr. APPELL. Mr. Chairman, I call to the witness stand Robert T. Rester.

The CHAIRMAN. Do you solemnly swear, sir, the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RESTER. I do, sir.

TESTIMONY OF ROBERT T. RESTER, ACCOMPANIED BY COUNSEL, MICHAEL S. INGRAM

Mr. APPELL. Mr. Rester, will you state your full name for the record, please.

Mr. RESTER. Robert T. Rester.

Mr. APPELL. Are you represented by counsel?

Mr. RESTER. Yes, sir, I am.

Mr. APPELL. Would counsel please identify himself for the record?

Mr. INGRAM. Michael S. Ingram, Baton Rouge, Louisiana.

Mr. APPELL. Mr. Rester, are you appearing today in accordance with the subpoena served upon you on December 28, 1965, which calls for your appearance on January 10, and you are appearing this morning because of an arrangement between your counsel and the committee?

Mr. RESTER. I am.

Mr. APPELL. Mr. Rester, when and where were you born?

Mr. RESTER. Bogalusa, Louisiana, May 3, 1930.

Mr. APPELL. Where do you presently reside?

Mr. RESTER. Bogalusa, Louisiana.

Mr. APPELL. Do you reside at a street and number?

Mr. RESTER. 1353 Edward Lane.

Mr. APPELL. Do you have a business address in Bogalusa?

Mr. RESTER. 311 First Avenue.

Mr. APPELL. Mr. Rester, would you give the committee your educational background?

Mr. RESTER. I decline to answer that question on the grounds that it might tend to incriminate me and cite as the basis of this refusal the 1st, the 4th, the 5th, and the 14th amendments of the United States Constitution.

Mr. APPELL. Would you give the committee your employment background?

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. Mr. Rester, are you a member of the bar of the State of Louisiana as well as the city attorney of Bogalusa?

Mr. RESTER. I decline to answer the question on the grounds previously stated, sir.

Mr. APPELL. Mr. Rester, I hand you a copy of the articles of incorporation of the Anti-Communist Christian Association. I invite your attention to page 2 of the articles of incorporation, specifically Article V. Registered Agents, which reads, "The full names and post office addresses of the corporation's registered agents are: Robert T. Rester. 311 First Avenue, P.O. Box 1160, Bogalusa, Louisiana; Saxon Farmer. 315 East Fifth Street, Bogalusa, Louisiana." And I ask you if you are the Robert T. Rester indicated as one of the two agents.

Mr. RESTER. Sir, I decline to answer the question on the grounds previously stated.

(Document previously marked "Saxon Farmer Exhibit No. 1.")

Mr. APPELL. Mr. Rester, the three-judge court——

The CHAIRMAN. Please speak up a little bit, both of you. It is hard for us to follow.

Mr. APPELL. Mr. Rester, the three-judge court in New Orleans which considered an injunction against certain residents of Bogalusa, including the Original Knights of the Ku Klux Klan and the Anti-

Communist Christian Association, found that the Anti-Communist Christian Association was a front organized to operate as a Klan-type organization. As one of the agents of that corporation, is the finding of the three-judge court factual?

Mr. RESTER. I decline to answer the question, sir, on the grounds previously stated.

Mr. APPELL. Mr. Rester, at the time these incorporation papers were drawn—and according to the corporation papers, they were drawn “the 1st day of the month of December, in the year of Our Lord, One Thousand Nine Hundred and Sixty Four,”—were you a member of the Original Knights of the Ku Klux Klan?

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you were the exalted cyclops of a unit in Bogalusa.

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. Mr. Rester, as the exalted cyclops of a unit and under the constitution by which the organization was supposed to govern itself, there was in each Klavern a klokan chief. I ask you who was the klokan chief of your Klavern.

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. The klokan chief was supposed to appoint six members to an organization known within the Klavern and Klan as the wrecking crew. Who were the members of the wrecking crew of your Klavern?

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. Mr. Rester, in light of the admissions of Saxon Farmer and Charles Christmas and the admission of counsel representing the Klan, Anti-Communist Christian Association, as well as the defendants in that action—I might point out you were not a defendant—members did in fact engage in violent acts. I would like to ask you whether or not you are quoted correctly in a syndicated article by Murray Kempton which quotes you as saying that the town of Bogalusa owes the Klan a vote of thanks. I show you the article to which I am referring.

(Document handed to witness.)

Mr. RESTER. Sir, I decline to answer that question on the grounds previously stated.

(Document marked “Robert Rester Exhibit No. 1” and retained in committee files.)

Mr. APPELL. Mr. Rester, do you know Clayton Hines of Lees Creek near Bogalusa?

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. According to Mr. Hines’ testimony before the three-judge court, he was the secretary of the Klavern of which you were the exalted cyclops, and through him the Government introduced in

evidence a list of, I believe, 151 members of the Klan in the Bogalusa area, and Mr. Hines testified that the list was made up in your office with your assistance. I ask you if his testimony was true.

Mr. RESTER. I decline to answer that, sir, on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of this witness. I ask that the documents referred to be entered in the record at the place where they were mentioned.

The CHAIRMAN. The documents will be inserted in the record at the respective points indicated.

(The chairman, Mr. Appell, and Mr. Ingram confer.)

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Rester, are you now a member of any Klan-type organization?

Mr. RESTER. No, sir.

The CHAIRMAN. And that is your statement under oath?

Mr. RESTER. Yes, sir; that is my statement.

The CHAIRMAN. And you are an attorney and you know the meaning of an oath?

Mr. RESTER. Correct.

Mr. APPELL. Mr. Chairman, I have no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Mr. RESTER. Thank you.

The CHAIRMAN. Call your next witness.

Mr. APPELL. Mr. B. J. Saucier.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAUCIER. I do.

TESTIMONY OF B. J. "JACK" SAUCIER

Mr. APPELL. Would you state your full name for the record, Mr. Saucier?

Mr. SAUCIER. I have initials only. B. J. Saucier. Jack is a nickname.

Mr. APPELL. Are you appearing here today in response to a subpoena served upon you on the 26th day of October 1965 at 608 Winnaboro Road, Monroe, Louisiana?

Mr. SAUCIER. Yes, sir.

Mr. APPELL. Mr. Saucier, you are not accompanied by counsel. Do you desire counsel?

Mr. SAUCIER. No, sir.

The CHAIRMAN. Mr. Saucier, I want to tell you that if you wish you may invoke the fifth amendment at any point you think you ought to. I say that because you won't have the benefit of advice from counsel. If you exercise that right, I will accept it in the same manner and treat it in the same way as if you had counsel.

Mr. SAUCIER. Yes, sir.

Mr. APPELL. Mr. Saucier, Attorney James Venable advised me that he was your attorney or is your attorney, that he had given you legal

advice, and that it was agreeable with him that you testify without him. Is that right, sir?

Mr. SAUCIER. Yes, sir.

Mr. APPELL. Did Mr. Venable explain to you the purposes for which the committee is sitting and holding these hearings as outlined in the opening statement of Chairman Willis in October of last year?

Mr. SAUCIER. Yes, sir.

Mr. APPELL. Mr. Saucier, paragraph 1 of the subpoena served upon you called for you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, of America, Inc., and Original Knights of the Ku Klux Klan, and affiliated organizations, namely, Choshota Parish Unit of the Original Knights of the Ku Klux Klan in your possession, custody or control, or maintained by you or available to you as member and/or officer of the Original Knights of the Ku Klux Klan of Louisiana, or the United Klans of America, Louisiana.

I ask you to produce those documents, Mr. Saucier.

Mr. SAUCIER. Sir, I respectfully refuse to do so. I earnestly believe that it might tend to incriminate me and violate my constitutional rights as provided under article I, article IV, article V, and the 14th amendment to the Constitution of the United States.

The CHAIRMAN. Mr. Saucier, I think you were in the hearing room and heard me explain that this subpoena was served on you as an officer of the Klan group and to produce those records in that capacity. You are aware of that?

Mr. SAUCIER. Yes, sir.

The CHAIRMAN. In view of that, I order and direct you to produce those documents.

Mr. SAUCIER. I respectfully refuse to do so on the previously stated grounds.

Mr. APPELL. Mr. Saucier, paragraph 2 called for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member and/or officer of the United Klans of America, Louisiana and Original Knights of the Ku Klux Klan, Louisiana which the Constitution and Laws of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. SAUCIER. I respectfully decline to on the previously stated grounds.

The CHAIRMAN. For the reasons I stated, I order and direct you to produce those documents.

Mr. SAUCIER. I respectfully decline to do so on the previously stated grounds.

Mr. APPELL. Mr. Saucier, when and where were you born?

Mr. SAUCIER. I was born July 2, 1927, in the rural area of Winnsboro, Louisiana.

Mr. APPELL. Where do you presently reside?

Mr. SAUCIER. 809 South Eighth Street, Monroe, Louisiana.

Mr. APPELL. Mr. Saucier, would you give the committee the benefit of your educational background?

Mr. SAUCIER. I respectfully refuse to answer the question on the grounds that I earnestly believe it might tend to incriminate me and further violate my constitutional rights under article I, article IV, article V, and the 14th amendment of the Constitution of the United States.

Mr. APPELL. Will you give the committee the benefit of your employment background?

Mr. SAUCIER. I respectfully decline to answer on the grounds previously stated.

Mr. APPELL. Mr. Saucier, were you a member of the Original Knights of the Ku Klux Klan at the time said organization was under the leadership of Royal V. Young?

Mr. SAUCIER. Sir, I respectfully decline to answer the question on the grounds previously stated.

Mr. APPELL. Under the leadership of Murry H. Martin, were you the exalted cyclops of the Ouachita Parish Unit?

Mr. SAUCIER. Sir, I respectfully decline to answer on the grounds previously stated.

Mr. APPELL. Did you know Willis J. Kidd to be the exalted cyclops of the Swartz Unit?

Mr. SAUCIER. I respectfully decline to answer the question on the grounds previously stated.

Mr. APPELL. In November 1964 at an election of the Original Knights of the Ku Klux Klan, Houston P. Morris sought the position of Imperial Wizard and was defeated.

Did you, Mr. Kidd, and others subsequently break with that organization as a result of the dissension that grew out of his defeat?

Mr. SAUCIER. I respectfully decline to answer the question on the grounds previously stated.

Mr. APPELL. Mr. Saucier, I hand you a copy of an incorporation—articles of incorporation of an organization designated as the Original Ku Klux Klan of America, Inc.

I invite your attention to the fact that the incorporators are listed in this document as being Houston P. Morris, 112 Texas Avenue, Monroe, Louisiana; Jack Saucier, 809 South 8th Street, Monroe, Louisiana; and George Bonner, 1511 Alabama Street, Monroe, Louisiana.

I hand you this document for you to review and put it to you as a fact, and ask you to affirm or deny the fact, that you are the Jack Saucier named in this document.

Mr. SAUCIER. Sir, I respectfully decline to answer the question on the grounds previously stated.

(Document marked "B. J. Saucier Exhibit No. 1.")

Mr. APPELL. According to a letter obtained from the Office of Secretary of State, the State of Louisiana, Houston P. Morris resigned from this organization, according to the letter dated April 28, 1965.

Will you tell the committee what caused Houston P. Morris to break with the organization?

Mr. SAUCIER. I respectfully decline to do so on the same grounds previously stated.

(Document marked "B. J. Saucier Exhibit No. 2" follows:)

B. J. SAUCIER EXHIBIT No. 2

RECEIVED

APR 30 8 04 AM '65

HARRIS
SECRETARY OF STATE

112 Texas Ave.

Monroe, Louisiana

April 28, 1965

Secretary of State
State of Louisiana
Capital Building
Baton Rouge, Louisiana

2-3-65
Monroe, La.

Dear Sir:

This is to inform you that I have resigned from the Board of Directors of the Original Ku Klux Klan of America, Inc. My letter of resignation has been submitted and accepted by the Board of Directors of the Original Ku Klux Klan of America, Inc.

Please remove my name from the charter on file with your office.

Sincerely yours
Houston P. Morris
Houston P. Morris

ack. receipt
+ place in Bur.
Report file
for sure + send across
to Ruch.

Mr. APPELL. Wasn't it again because of dissension within a Klan group in which Mr. Morris wanted to take the bulk of the organization into the United Klans of America?

Mr. SAUCIER. I respectfully decline to answer the question on the previously stated grounds.

Mr. APPELL. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. APPELL. I call Mr. Willis J. Kidd.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?
Mr. KIDD. I do.

**TESTIMONY OF WILLIS JAMES KIDD, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. Will you state your full name for the record, Mr. Kidd?

Mr. KIDD. Willis James Kidd.

Mr. APPELL. Are you appearing here this morning in accordance with a subpoena served upon you on the 26th day of October 1965 at Music Road in Swartz, Louisiana?

Mr. KIDD. I am.

Mr. APPELL. Are you represented by counsel?

Mr. KIDD. Yes.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, 501 First Federal Building, Raleigh, North Carolina.

Mr. APPELL. When and where were you born, Mr. Kidd?

Mr. KIDD. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights guaranteed to me in the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Kidd, you have been a member of the Original Knights of the Ku Klux Klan under Mr. Young, the Original Knights of the Ku Klux Klan under Mr. Martin, the Original Ku Klux Klan of America, Inc., as well as the United Klans of America?

Mr. KIDD. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Kidd.

Mr. Kidd was born on June 11, 1932, in Ouachita Parish, Louisiana. He is employed as assistant office manager at the Columbia Carbon Company, Swartz, Louisiana. He served in the United States Navy from 1952 to 1956. He has been a member of Ku Klux Klan organizations since 1963. He recently held membership, in the office of exalted cyclops, of the Swartz Unit, Original Ku Klux Klan of America, Inc., and the United Klans of America, Inc.

In April 1965, he was the Imperial Dragon of the Original Ku Klux Klan of America, Inc., which organization was incorporated by Houston P. Morris and Jack Saucier, the previous witness.

This information, Mr. Chairman, indicates that he possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. You have heard the sworn statement of the committee's investigator. You now have an opportunity to reply to any portion of that statement, to affirm or challenge the accuracy of the information, or to explain any part of the statement.

In addition, you may, if you desire, offer any other matters the committee might deem relevant to this inquiry.

Do you care to avail yourself of that opportunity?

Mr. KIDD. I respectfully decline to answer that question based on the grounds previously stated.

The CHAIRMAN. In that case, Mr. Kidd, I must inform you that, absent your rebuttal, or other factors that may come to the attention of the committee, we will continue to rely upon the accuracy of the investigation.

Proceed.

Mr. APPELL. Mr. Kidd, were you formally affiliated in the Original Knights of the Ku Klux Klan with Jack Saucier, the witness that preceded you?

Mr. KIDD. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Do you know Thomas Frank Reagan?

Mr. KIDD. I respectfully decline to answer that question upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that he is the great titan for the Northern Province of Louisiana, United Klans of America, Knights of the Ku Klux Klan.

Mr. KIDD. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions.

The CHAIRMAN. Mr. Kidd, it is information coming to myself that you and Houston Morris have gone over to the United Klans of America under the leadership of Robert Shelton. Is that true?

Mr. KIDD. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. I think I have confirmatory evidence along that line.

Thank you. The witness is excused.

Call your next witness.

Mr. APPELL. Mr. Jack Helm.

The CHAIRMAN. Do you solemnly swear, sir, the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HELM. I do, sir.

TESTIMONY OF JACK M. HELM, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Will you state your name for the record, Mr. Helm?

Mr. HELM. Jack M. Helm.

Mr. APPELL. Are you appearing this morning, Mr. Helm, in accordance with a subpoena served upon you?

Mr. HELM. Yes, I am.

Mr. APPELL. On October 26, 1965?

Mr. HELM. Yes, sir.

Mr. APPELL. At 3141, DeSaix Street, New Orleans, Louisiana?

Mr. HELM. Yes, sir.

Mr. APPELL. You are represented by counsel?

Mr. HELM. Yes, I am, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Helm, under the conditions of the subpoena and an attachment thereto which was made a part of the subpoena, you were commanded to bring with you and to produce before the committee documents called for in paragraph 1 as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service in your possession, custody or control, or maintained by you or available to you as Grand Klaliff, State of Louisiana, and/or E.C. New Orleans Unit of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce those documents, Mr. Helm.

Mr. HELM. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by the committee under the subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation; that the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to deliver the documents called for in paragraph 1.

The CHAIRMAN. Mr. Chalmers, I assume that previous stipulations which we previously made to the effect that you acknowledge that the subpoena was served upon him in the capacity stated in the subpoena and that he is being asked to produce the documents in that capacity: is that correct?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. In that case, Mr. Helm, I order and direct you to produce those documents.

Mr. HELM. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Helm, paragraph 2 of the subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member or officer of the United Klans of America, Inc. Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents.

Mr. HELM. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated, sir.

The CHAIRMAN. Is the same stipulation agreed to, Mr. Chalmers?

Mr. CHALMERS. It is, Mr. Chairman.

The CHAIRMAN. I order and direct you to produce those documents.

Mr. HELM. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated, sir.

Mr. APPELL. Paragraph 3 of the subpoena, Mr. Helm, calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

Mr. HELM. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Helm, when and where were you born?

Mr. HELM. Houston, Texas.

Mr. APPELL. What date, sir?

Mr. HELM. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the fact that the witness has stated that he was born in Houston, Texas, I ask that he be directed to give to the committee the date of his birth.

The CHAIRMAN. Pardon?

Mr. APPELL. In view of the fact, in response to my question as to when and where he was born, he responded "Houston, Texas," and then invoked constitutional privileges with respect to the date of his birth, I ask that he be directed to give to the record the date of his birth.

The CHAIRMAN. Of course, I could do that. It is introductory and preliminary, and I can visualize absolutely no basis for the invocation of any constitutional privileges, unless he wants to enumerate the reason. I will order and direct him to answer.

Mr. HELM. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions or to produce documents demanded of him, I present to the committee the results of our investigation as they pertain to Mr. Helm.

Mr. Helm was born February 7, 1910, at Houston, Texas. He is the operations manager for the L. P. Smith Construction Company, New Orleans, Louisiana. He is a member of the United Klans of America, Realm of Louisiana, which is known by the cover name of Louisiana Rescue Service. He is the exalted cyclops of the New Orleans, Louisiana, Unit of the United Klans of America.

In March of 1965 he attended a convention of the Realm of Louisiana, which at that time operated under the cover name of the Bernice Sportsman Club. At this meeting he was elected Grand Klaliff or State vice president of the Realm of Louisiana.

On May 15 and 16, 1965, Mr. Helm, along with Charles T. Miller of New Orleans, and Lloyd Barnett, who gave an address of New Orleans, D. B. Jackson of Baton Rouge—correction—of Bernice—and Gill Harris, Jr., of Bernice; he attended a meeting of Grand Dragons, Imperial officers, and other UKA—United Klans of America—leaders from many States at the Eola Hotel in Natchez, Mississippi.

This meeting was sponsored by the Mississippi Realm of the United Klans of America known as the Mississippi Rescue Service.

While a Klan official, Mr. Helm, who speaks at numerous Klan rallies, is always introduced as a leader of the Citizens Council of Greater New Orleans. With such an introduction, he spoke at the following rallies.

The CHAIRMAN. Do you mean Klan rallies?

Mr. APPELL. Yes, sir. Rallies of the United Klans of America in most instances.

May 22, 1965, at a public rally near Tioga, Louisiana.

July 17, 1965, at Crossroads Community, Poplarville, Mississippi.

On October 24, 1965, at Philadelphia, Mississippi, where he shared the platform with Sheriff Lawrence Rainey, Deputy Sheriff Cecil Price, and Wayne Alton Roberts, all three of whom were arrested for the slaying in Philadelphia, Mississippi, of the three civil rights workers.

At that rally Helm stated, and I quote, "No congressional investigation will ever deteriorate this organization. We'll still be here when they are dead and buried—and I hope it will be soon."

On October 27, 1965, at Bay Saint Louis, Mississippi, Mr. Helm spoke, where he stated that the Federal Government was corrupt with homosexuals and that many Communists had high jobs.

On October 30, 1965, at Natchez, Mississippi, where he warned of a Communist takeover in the United States and urged his listeners to not register their guns because—and I quote—"You've got to have something in your house to keep those savages"—referring to Communists—"from your door."

On June 5, 1965, Helm attended a meeting of the Americans for the Preservation of the White Race at Natchez, Mississippi.

This information, Mr. Chairman, indicates that Mr. Helm possesses information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Helm, you have heard the sworn statement of the committee's investigator, Mr. Appell, who is under oath just like you are.

You now have the opportunity to reply to any portion of that statement, confirm or challenge the accuracy of the information, or to explain any part of it. In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

The CHAIRMAN. I must inform you in that case that, absent your rebuttal, or other facts that may come to the attention of the com-

tee, this committee will rely upon the accuracy of its investigation. Now, bearing that in mind, have you anything to say?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Helm, you do quite a bit of traveling for the L. P. Smith Construction Company and represent to the Government sizable deductions for traveling expenses for use of automobile and other items necessary to travel. Do you include as legitimate business deductions those expenses which you incur in travel as an official of the United Klans of America?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Helm, we spoke of the meeting at Natchez, Mississippi. I hand you a copy of the registration card of the Eola Hotel. I ask you if the card, which is one of the cards reproduced on this sheet that I am handing you, underscored, containing the name "Jack L. Helm," is your signature there?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

(Document marked "Jack Helm Exhibit No. 1" follows:)

JACK HELM EXHIBIT NO. 1

EOLA HOTEL NATCHEZ, MISSISSIPPI
REGISTRATION CARD

Guests Without Baggage Please Pay in Advance

Money, jewelry and valuables must be deposited in the office safe, against the receipt of which the hotel will not be responsible for any loss.

NAME

Jack H Helm

STREET

CITY AND STATE

New Orleans La.

REPRESENTING

American Hotel Register Co., 226-232 W. Ontario St., Chicago 10 Ill.

ROOM <i>611</i>	RATE <i>15.00</i>	ARRIVE A. M. P. M.	FOLIO
DATE	NO. IN PARTY <i>1</i>	CLERK	

REMARKS

Mr. APPELL. In addition to the persons from Louisiana whom I set forth in my statement with respect to you, were the following individuals also present for that meeting:

Ruby Lee Brown; Nick Caulda; Robert E. Scoggin; W. S. Cox of Spartanburg, South Carolina; and Mr. and Mrs. Joseph H. Bedford of Jacksonville, Florida; Morris P. Perkins and Danny Hawkins of Jackson, Mississippi; Robert M. Creel of Bessemer, Alabama—the Grand Dragon of Alabama; Don Cothran, the Grand Dragon of Florida; B. W. Waldrup of Jackson, Mississippi; Calvin F. Craig, the Grand Dragon of Atlanta, Georgia; Raymond R. Anderson, the Grand Dragon of Tennessee; Robert M. Shelton, the Imperial Wizard of the United Klans of America; Clint Low of Jasper, Georgia.

Were those persons whose names I have read to you present at that meeting?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. I hand you the reproduction of an article which appeared in the Alexandria, Louisiana, *Town Talk* of May 24, 1965, a story relating to a Klan rally.

It contains a picture of two men. In handing you this document, I ask you if you know the other man at the microphone to be Dr. J. M. Edwards of Jonesboro, Louisiana, a chiropractor who is the Grand Dragon of the United Klans of America for the State of Louisiana.

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

(Document marked "Jack Helm Exhibit No. 2" appears on p. 2591.)

Mr. APPELL. Mr. Helm, in March of 1963 were you president of an organization known as Parents and Friends of Catholic Children, Inc.?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Chairman, I would like to have introduced into the record of Mr. Helm's testimony the registration card of the Eola Hotel, the newspaper clipping from the Alexandria, Louisiana, *Town Talk*, and an article which appeared in the *Times-Picayune* of March 25, 1963, relating to Mr. Helm and the Parents and Friends of Catholic Children, Inc.

The CHAIRMAN. They will be introduced in the record at the points indicated.

Mr. APPELL. Mr. Helm, the *Times-Picayune* story relating to the Parents and Friends of Catholic Children, Inc., states that Archbishop Cody, dealing with the organization I have mentioned, said that that organization was "not a recognized Catholic organization," and in response to an inquiry from the press in which you were asked about Archbishop Cody's statement, you are quoted in this paper as saying, "Well, we have news for him. We don't recognize Archbishop Cody."

Were you quoted correctly?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated.

JACK HELM EXHIBIT No. 2
[Alexandria, La., *Town Talk*, May 24, 1965]



(*Town Talk* Staff Photo)
Dr. J. M. Edwards of Jonesboro, right, grand dragon of Louisiana of the United Klans of America Inc., introduces Jack Helm of New Orleans, approaching the microphone, who is a leader of the Citizens Council of Greater New Orleans and was the principal speaker during a klan rally near Tioga Saturday night.

'Invocation' at Klan Rally Is Not According to Grand Dragon's Hoyle

A Klu Klux Klan rally went off as scheduled Saturday night near Tioga with one unexpected performance.

Dr. J. M. Edwards, grand dragon of the United Klans of America Inc., realm of Louisiana, called for a minister from the audience to open the rally.

An unidentified man approached the microphone as the members of the crowd began to bow their heads.

"I don't see how you in the name of Jesus Christ can conduct hatred for any man" he said and walked from the platform.

Dr. Edwards, a Jonesboro veterinarian, gave the invocation and said of the man "we pray our richest blessing upon him; may the hatred in him be removed."

Jack Helm, leader of the Citizens Council of Greater New

Orleans and principal speaker, said "I'm excited after I saw this performance here tonight."

Helm spoke for an hour and covered almost every subject from the United Nations to birth control to Selma and Bogalusa.

The crowd was estimated at some 600 people; Helm said 5,000.

He promised 125,000 people at a Baton Rouge rally June 4 when "Big John, that's McKeithen, had better go to Europe."

After the Baton Rouge rally the council is sponsoring a train trip to Washington to protest civil rights activities by the government. Helm said \$60 would buy a round trip ticket.

The program was concluded with Dr. Edwards explaining the meaning of a cross lighting ceremony held with 15 robed klansmen behind the platform.

Dr. Edwards, the grand dragon, is not the Dr. James M. Edwards of Pineville.

(*Times-Picayune* article of March 25, 1963, marked "Jack Helm Exhibit No. 3" follows:)

JACK HELM EXHIBIT NO. 3

[NEW ORLEANS, LA., *Times-Picayune*, MARCH 25, 1963]

★★★

RAU ADDRESSES PARENTS GROUP

Says Catholic Church Is 'Playing Politics'

State Rep. John F. "Jack" Rau of Jefferson Parish Sunday accused the Catholic Church of "playing politics" in working for integration of Negroes into all-white schools and all-white neighborhoods.

"The Negro bloc vote controls the election of the President of the United States," Rau declared. "The Church, by co-operating, can play politics to get federal aid — maybe," he charged.

Rau addressed a meeting sponsored by the Parents and Friends of Catholic Children Inc., in Bud's Flower Room, 5707 St. Claude ave., Sunday afternoon.

'NOT ATTACKING' CHURCH

"It hurts everyone of us here to disagree with our Catholic clergy," Rau stated.

Jack M. Helm, president of Parents and Friends of Catholic Children Inc., stressed that "We are devout and practicing Roman Catholics and we are

not attacking Holy Mother Church. We are attacking the hierarchy of the Catholic Church in the Archdiocese of New Orleans," he said.

He said Archbishop John P. Cody was "one man who came down here and did nothing but talk finances."

Referring to the archdiocese's new central fund, Helm said the archbishop "has taken the fun out of raising money by church festivals, little penny parties and things like that."

ASKS ACCOUNTING

Helm said the Catholic Church in Violet, La., had raised some \$30,000 through these means, but it all had to be turned over to the archdiocesan fund. "Not satisfied with that \$30,000, the archbishop went into the Altar Society and took the few hundred dollars they had."

The Parents and Friends of Catholic Children Inc., asked the archbishop to account for the disposition of funds turned over to him by the churches of the archdiocese. According to Helm the answer was: "Query is rejected."

"Cody's letter of reply said: 'This is not a recognized Catholic organization,'" Helm declared.

"Well, we have news for him," Helm added. "We don't recognize Archbishop Cody."

Mr. APPELL. Were you affiliated with any Klan organization at the time you made that statement?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. I have no further questions.

The CHAIRMAN. Mr. Helm, did you become an officer or president of that Parents and Friends of Catholic Children, Inc., organization by direction of anyone higher than you in the Klan hierarchy?

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

The CHAIRMAN. You seem to have smiled when I asked that question. Is there any reason for it? Do you care to talk about it? I will be glad to hear whatever you have to say.

Mr. HELM. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. BUCHANAN. Mr. Helm, if I understand your program correctly, I believe Mr. Appell said you stated in a rally that this committee was not going to be able to destroy your organization, that your organization would continue to exist when we were dead and buried and you hoped it would be soon. I further understand you said in regard to the archbishop that you intend to fire the archbishop and bury the committee.

I don't ask for an answer to that, but I will say this: If this is your attitude, there are forces in this country that have for a long time tried to destroy this committee and the vital function it fulfills for the Congress and the American people, and I would predict if the Ku Klux Klan joins hands with the Communist Party to destroy this committee that you will be unsuccessful in that endeavor.

I note from what I am hearing and reading that such a joining of hands in the vilification and attempted destruction of the functions of this committee would seem to be the purpose of statements such as the one quoted from this rally. I just want you to know that I suspect this shall be unsuccessful.

This is not a question and there is no need to answer.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. I call Mr. Lloyd H. Barnett.

The CHAIRMAN. Do you solemnly swear, sir, that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BARNETT. I do, sir.

**TESTIMONY OF LLOYD H. BARNETT, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. Mr. Barnett, would you state your full name for the record, please?

Mr. BARNETT. Lloyd H. Barnett.

Mr. APPELL. Are you represented by counsel?

Mr. BARNETT. I am, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Barnett, you are appearing here in connection with the subpoena served upon you on October 26, 1965, at 423 River Oaks Drive, New Orleans, Louisiana?

Mr. BARNETT. Yes, sir.

Mr. APPELL. Mr. Barnett, under the conditions of the subpoena and an attachment thereto, which is made a part of the subpoena, you are called upon in paragraph 1 to produce the following documents:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue

Service in your possession, custody or control, or maintained by you or available to you as Grand Titan of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I ask you to produce those documents, sir.

Mr. BARNETT. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by this committee under the subpoena dated October 14, 1965, for that information is not relevant and germane to the investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. I ask for a direction, Mr. Chairman.

Mr. CHAIRMAN. Is our previous stipulation agreed to as to the significance of this subpoena as it applies to this witness?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I order and direct you to produce the documents.

Mr. BARNETT. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, under paragraph 2 you are ordered to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past Grand Titan and/or member of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I ask you to produce those documents, sir.

Mr. BARNETT. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

The CHAIRMAN. On the basis of the stipulation previously made, I order and direct you to produce them.

Mr. BARNETT. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, paragraph 3 of your subpoena calls for you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040 "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964 filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I ask for the production of those tax returns.

Mr. BARNETT. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, I hand you a reproduction of an application for citizenship in the Invisible Empire, Knights of the Ku Klux Klan, and ask you if you have executed a similar application?

Mr. BARNETT. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document previously marked "Richard Constantineau Exhibit No. 3.")

Mr. APPELL. Mr. Barnett, I hand you a series of oaths of allegiance, obedience, secrecy, and fidelity of the Ku Klux Klan and ask you to review them and state whether or not you have ever subscribed to the oaths set forth in that document?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 4.")

Mr. APPELL. Mr. Barnett, I put it to you as a fact, and ask you to affirm or deny, that as a titan in the Realm of Louisiana that you have jurisdiction of Klan organizational activities in Klaverns within southern Louisiana?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Will you advise the committee of the number of Klaverns organized within your jurisdiction?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Will you advise the committee of the membership of the Klaverns within your jurisdiction?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. As the officer of the United Klans of America in charge of south Louisiana, do you know Jim Roundtree?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know Jimmy Mumphrey?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know Ralph Houston?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know Robert Joseph Fuxan, F-u-x-a-n?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Do you know Jimmy Simon Mumphrey?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, do you know Saxon Farmer?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Following the meeting of the Klan officials at the Eola Hotel in Natchez, Mississippi, I put it to you as a fact, and ask you to affirm or deny the fact, that you played a role in a rally held at Cross-

roads Community in Mississippi across the line from Bogalusa, Louisiana?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, I put it to you as a fact, and ask you to affirm or deny the fact, that you deliberately, with knowledge, lied to the press when you advised them that there were 4,000 Klansmen in the Bogalusa area?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. As a matter of fact, isn't it the practice of Klan organizations in certain areas, for whatever influence they conceive it might have, to balloon or exaggerate the number of their members?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Barnett, I put it to you as a fact, and ask you to affirm or deny, that you do not have 4,000 Klansmen in the entire State of Louisiana?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny, that as a matter of organizational procedure you balloon your strength in order to intimidate people into thinking you are a larger and more powerful organization than you are in fact?

Mr. BARNETT. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further questions of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. I call Marvin Curtis Brister.

The CHAIRMAN. You solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRISTER. I do.

TESTIMONY OF MARVIN CURTIS BRISTER, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Brister, will you state your full name for the record?

Mr. BRISTER. Marvin Curtis Brister.

Mr. APPELL. Are you appearing today in accordance with a subpoena served upon you on the 29th day of October 1965 at the Tioga High School in Tioga, Louisiana?

Mr. BRISTER. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. BRISTER. Yes, sir.

Mr. APPELL. Will counsel please identify himself?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Brister, under the conditions of a subpoena served on you, you were ordered by an attachment, which was made a part

of the subpoena, to bring with you and to produce articles called for in paragraph 1 as follows:

All book, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service in your possession, custody or control, or maintained by you or available to you as Grand Titan of Southern Louisiana of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I request you to produce, in your representative capacity stated therein, the documents called for by part 1 of the subpoena.

The CHAIRMAN. It is stipulated that the significance of the call is for the witness to produce the documents in the capacities stated in this subpoena?

Mr. CHALMERS. May I inquire of Mr. Appell what was the date of that subpoena?

Mr. APPELL. The date of service was the 29th of October.

Mr. BRISTER. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 29, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 29, 1965, for that information is not relevant and germane to the subject under investigation and that same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. Pursuant to the stipulation made, I order and direct you to produce those documents in the capacities stated in the subpoena.

Mr. BRISTER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Part 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as past or present Grand Titan and/or member of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I request you to produce, in your representative capacity stated therein, the documents called for by this part 2 of your subpoena.

Mr. BRISTER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

The CHAIRMAN. And pursuant to the stipulation, I order and direct you to produce the documents in those capacities.

Mr. BRISTER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Part 3 of your subpoena calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1040, "U.S. Individual Income Tax Return," for the calendar years 1958 through 1964, filed by you as an individual taxpayer with the U.S. Treasury Department, Internal Revenue Service.

I request you to produce those documents.

Mr. BRISTER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, would you state for the record your educational background?

Mr. BRISTER. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Brister, I put it to you as a fact, and ask you to affirm or deny, that you have an M.A. degree from Colorado State College, Fort Collins, Colorado. Will you confirm or deny that fact?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, I put it to you as a fact, and ask you to affirm or deny, that you hold the position of assistant principal of the Tioga High School, Tioga, Louisiana.

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, I put it to you as a fact, and ask you to affirm or deny, that you are receiving disability compensation from the United States Government occasioned by retirement from the Army at the rank of major because you suffered from diabetes and that your compensation is \$237.19 a month? I ask you to affirm or deny that fact.

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, I hand you a copy of an application for Class B, C, or D license, a form issued by the Federal Communications Commission, dated March 15, 1965, for a Class D license with 10 transmitters. I would like to read in the record before handing it to you and then would like you to verify the accuracy of what I am quoting.

The CHAIRMAN. What are you reading from?

Mr. APPELL. This is a letter which is a part of the application. It is signed by Marvin C. Brister. It reads:

Dear Sirs:

I was certainly unaware that there was to be a detail report as to where each of the transceivers were to be placed.

I expect to place transceivers in the following places:

1. My home—my use, my wife and 2 daughters.
2. My ½ ton pick-up—
3. My Family Car—
4. 2 cars owned by me but driven by my daughters.
5. My sports car—
6. My boat, run about-outboard

All of these will be used by my family and my mother or father or some of my close friends.

The above is in the near future or when I receive my permits. My future plans is for a small house boat, trailer that is use [sic] for hunting trips. A portable would come in handed [sic] on certain types of outings.

I am sorry I have delayed this, by not giving *exact* placements.

It is signed "Marvin C. Brister."

In handing you this application I ask you if this is the application you filed and if the letter which I read is signed by you and whether or not any of these citizens band transmitters were used by members of the United Klans of America?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "Marvin Brister Exhibit No. 1." See pp. 2600-2603.)

Mr. APPELL. Mr. Brister, did Mr. Lloyd Barnett replace you as the titan in charge of the United Klans of America organization in Klavern activities in southern Louisiana?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Are you still a member of the United Klans of America?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Brister, prior to joining the United Klans of America were you a member of the Original Knights of the Ku Klux Klan, which was known by the cover name of Christian Constitutional Crusaders?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny, that you wrote checks payable to the Christian Constitutional Crusaders and were a member of that organization?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. Mr. Brister, it appears from what has been stated that you have an unusually high education. I ask you what I have asked of many others, if you would care to state in your own way and with language portraying it in your own fashion, the objectives, purposes, and programs of the Ku Klux Klan that impelled you to join the Klan and to become a high official thereof?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. It has been proven in the record that another teacher in a high school, in that case a principal—and I see you are assistant principal in a high school in Louisiana—that in the other case Klan activities and meetings were held in that school. Were any Klan activities and meetings held in your school?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Have you made talks at Klan rallies or before Klan groups?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Did you in any way try to indoctrinate in the ways of the Klan any of the pupils in your school?

Mr. BRISTER. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. The witness is excused.

(Marvin Brister Exhibit No. 1, introduced above follows:)

MARVIN BRISTER EXHIBIT No. 1

FOC FORM 20
REVISED MAY 1955

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20541

FORM APPROVED
FEDERAL BUREAU OF INVESTIGATION

APPLICATION FOR CLASS B, C, OR D STATION LICENSE IN THE

CITIZENS RADIO SERVICE

DO NOT WRITE IN THIS BLOCK

FEE: \$8.00

440839 MAR1865

FCC-GETTYSBURG, PENN. GETTYSBURG, PA.

Application for Class A station license must be filed on FCC FORM 20B.

2. Complete on typewriter or print clearly.

3. No sure application is signed and dated. Mail application to Federal Communications Commission, Gettysburg, Pa., 17325.

4. Enclose appropriate fee with application, if required. DO NOT SUBMIT CASE. Make check or money order payable to Federal Communications Commission. (See Part 19, Volume VI of FCC rules to determine whether a fee is required with this application.)

1. NAME OF APPLICANT BUSINESS NAME (OR LAST NAME, IF AN INDIVIDUAL) BRISTER FIRST NAME (IF AN INDIVIDUAL) MARVIN MIDDLE INITIAL C			9. DOES EACH TRANSMITTER TO BE OPERATED APPEAR ON THE COMMISSION'S "RADIO EQUIPMENT LIST, PART C," OR, IF FOR CLASS C OR CLASS D STATIONS, IS IT CRYSTAL-CONTROLLED? (If no, attach detailed description; see subpart C of Part 19)		YES	NO
2. IF AN INDIVIDUAL OPERATING UNDER A TRADE NAME, GIVE INDIVIDUAL NAME, OR IF PARTNERSHIP, LIST NAMES OF PARTNERS (Do not repeat any name used in item 1) LAST NAMES FIRST NAMES MIDDLE INITIAL			10. A. WILL APPLICANT OWN ALL THE RADIO EQUIPMENT? (If no, answer B and C below) B. NAME OF OWNER C. IS THE APPLICANT A PARTY TO A WRITTEN LEASE OR OTHER AGREEMENT UNDER WHICH THE OWNERSHIP OR CONTROL WILL BE EXERCISED IN THE SAME MANNER AS IF THE EQUIPMENT WERE OWNED BY THE APPLICANT?		YES	NO
3. MAILING ADDRESS NUMBER AND STREET 3002 Monroe Hwy. CITY Pineville STATE LA. ZIP 71360 COUNTY OR EQUIVALENT SUBDIVISION Rapides			11. HAS APPLICANT READ AND UNDERSTOOD THE PROVISIONS OF PART 19, SUBPART D, DEALING WITH PERMISSIBLE COMMUNICATIONS FOR WHICH THIS CLASS OF STATION MAY BE USED?		YES	NO
4. CLASSIFICATION OF APPLICANT (See instructions) <input checked="" type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> GOVERNMENTAL ENTITY <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER (Specify):			12. WILL THE USE OF THE STATION CONFORM IN ALL RESPECTS WITH THE PERMISSIBLE COMMUNICATIONS AS SET FORTH IN PART 19, SUBPART D?		YES	NO
5. CLASS OF STATION (Check only one) <input type="checkbox"/> CLASS B <input type="checkbox"/> CLASS C <input checked="" type="checkbox"/> CLASS D			13. WILL THE STATION BE OPERATED BY ANY PERSON OTHER THAN THE APPLICANT, MEMBERS OF HIS IMMEDIATE FAMILY, OR HIS EMPLOYEES? (If yes, attach a separate sheet listing the names and relationship of all such persons and give a detailed reason for their operation of your station)		YES	NO
6. IS THIS APPLICATION TO MODIFY OR RENEW AN EXISTING STATION LICENSE? <input type="checkbox"/> YES (Give call sign): <input checked="" type="checkbox"/> NO			14. IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY OF THE PARTNERS AN ALIEN?		YES	NO
7. DO YOU NOW HOLD ANY STATION LICENSE, OTHER THAN THAT COVERED BY ITEM 6, OF THE SAME CLASS AS THAT REQUESTED BY THIS APPLICATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			15. IS APPLICANT THE REPRESENTATIVE OF ANY ALIEN OR ANY FOREIGN GOVERNMENT? (If yes, explain fully)		YES	NO
8. TOTAL NUMBER OF TRANSMITTERS TO BE AUTHORIZED (Type or print requested station license number) 10 (Number)			16. WITHIN 10 YEARS PREVIOUS TO THE DATE OF THIS APPLICATION, HAS THE APPLICANT OR ANY PARTY TO THIS APPLICATION BEEN CONVICTED IN A FEDERAL, STATE, OR LOCAL COURT OF ANY CRIME FOR WHICH THE PENALTY IMPOSED WAS A FINE OF \$500 OR MORE, OR AN IMPRISONMENT OF 6 MONTHS OR MORE? (See instructions. If yes, attach a separate sheet giving details of each such conviction)		YES	NO
SIGN AND DATE THE APPLICATION ON REVERSE SIDE			17. IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY PARTNER LESS THAN 18 YEARS OF AGE (LESS THAN 18 YEARS OF AGE IF FOR CLASS C STATION LICENSE)?		YES	NO
DO NOT WRITE IN THIS BOX SCREENING <input checked="" type="checkbox"/> <input type="checkbox"/> N SIGNATURE <input checked="" type="checkbox"/> <input type="checkbox"/> N			18. IF THE PRINCIPAL LOCATION WHERE THE STATION WILL BE USED IS DIFFERENT FROM THE MAILING ADDRESS (ITEM 3), GIVE THAT LOCATION. (DO NOT GIVE POST OFFICE BOX OR RFD NO.) NUMBER AND STREET Same CITY STATE		IF LOCATION CANNOT BE SPECIFIED BY STREET, CITY, AND STATE, GIVE OTHER DESCRIPTION OF LOCATION	

MARVIN BRISTER EXHIBIT No. 1—Continued

19. IF APPLICANT IS A NONGOVERNMENTAL CORPORATION, ANSWER THE FOLLOWING ITEMS:		YES	NO
IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN GOVERNMENT?			
IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?			
IS MORE THAN ONE-FIFTH OF THE CAPITAL STOCK EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?			
IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items 2 through 8 below)			
GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION			
UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?			
IS MORE THAN ONE-FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OF RECORD OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)			
IS ANY OFFICER OR MORE THAN ONE-FOURTH OF THE DIRECTORS OF THE CONTROLLING CORPORATION AN ALIEN? (If yes, answer items 1 and 2 below)			
TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION			
LIST ALL OFFICERS AND DIRECTORS WHO ARE ALIENS IN CONTROLLING CORPORATION AND GIVE BRIEF BIOGRAPHICAL STATEMENT FOR EACH ALIEN			
NAME	NATIONALITY	OFFICE HELD	
IS THE CONTROLLING CORPORATION IN TURN CONTROLLED BY OTHER COMPANIES? (If yes, attach information for each of these controlling companies covering the information requested in items 2 through 8, above)			
		<input type="checkbox"/> YES	<input type="checkbox"/> NO

20. IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS:		YES	NO
A IS ANY OFFICER OR DIRECTOR OF THE ASSOCIATION AN ALIEN?			
B ARE MORE THAN ONE-FIFTH OF THE VOTING MEMBERS OF THE ASSOCIATION ALIENS OR REPRESENTATIVES OF ALIENS, FOREIGN GOVERNMENTS OR REPRESENTATIVES THEREOF, OR CORPORATIONS ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?			
C IS THE ASSOCIATION DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER ORGANIZATION? (If yes, give detailed explanation)			

USE THIS SPACE FOR ANY ADDITIONAL INFORMATION OR REMARKS

This is my mistake. I only read the first part of this statement, therefore I did not get the full meaning of question. It should be answer with the word no. I am a born citizen of this country. 3-29-65

Signature: Marvin C. Brister Date: _____

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

1. THE STATEMENTS MADE IN THE APPLICATION AND ATTACHED EXHIBITS ARE CONSIDERED MATERIAL REPRESENTATIONS, AND ALL THE EXHIBITS ARE MATERIAL PART HEREOF AND ARE INCORPORATED HEREIN AS IF SET OUT IN FULL IN THE APPLICATION.

CERTIFY THAT:

- The applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service;
- The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise;
- The applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application;
- The station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission;
- The said station will not be used for any purpose contrary to Federal, State or local law.
- The applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons; and
- The statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

DO NOT OPERATE UNTIL YOU HAVE YOUR OWN LICENSE. USE OF ANY CALL SIGN NOT YOUR OWN IS PROHIBITED.

SIGNATURE: Marvin C. BristerDATE SIGNED: 3-15-65

(Check appropriate box below):

☒ INDIVIDUAL APPLICANT☐ MEMBER OF APPLICANT PARTNERSHIP☐ OFFICER OF APPLICANT CORPORATION OR ASSOCIATION☐ OFFICIAL OF GOVERNMENTAL ENTITY

MARVIN BRISTER EXHIBIT No. 1—Continued

APR 21 1955

FBI
ANALYST'S OFFICE
GETTYSBURG, PENNSA.

Supplement to Application Return Form

Page 3-3

In addition to providing the information requested on the attached sheet, please answer the following questions in the Remarks space on the reverse side of the application Form 505.

1. Will station be operated in connection with business activities? *no.*

If "Yes", state:

Owner of business

Nature of business activity

Where do you propose to install the transmitters shown in Item 8, and for what purposes and by whom will they be used?

2. Will station be operated in connection with personal activities? *yes*

If "Yes", state:

Nature of personal activity

Communication between home and mobile units, Hunting, fishing, tracking, etc.

Where do you propose to install the transmitters shown in Item 8, and for what purposes and by whom will they be used?

Furber or Home set.

mobile units

Boats.

(over)

MARVIN BRISTER EXHIBIT No. 1—Continued

April 19, 1965

Dear Sirs:

I was certainly unaware that there was to be a detail report as to where each of the Transcinnus were to be placed.

I expect to place Transcinnus in the following places:

1. My Home - my wife, my wife and 2 daughters.
2. My $\frac{1}{2}$ Ton pick-up -
3. My Family Car -
4. 2 Cars owned by me, all of these but driven by my ^{will be used by my family} and my mother or father or some of my close friends.
5. My sports car -
6. My boat, run about cat board

The above is in the near future or when received my permits. My future plans is for small home boat, trailer that is use for hunting ps. A portable would come in handy on tan types of outings.

I am sorry I have delayed this, not giving exact placements.

Marvin C. Brister

The CHAIRMAN. Call your next witness.

Mr. APPELL. Tommy Frank Reagan.

The CHAIRMAN. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. REAGAN. I do.

**TESTIMONY OF TOMMY FRANK REAGAN, ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

Mr. APPELL. Would you state your full name for the record?

Mr. REAGAN. Tommy Frank Reagan.

Mr. APPELL. R-e-a-g-a-n?

Mr. REAGAN. That is correct.

Mr. APPELL. You are appearing before the committee today in response to a subpoena served upon you on the 26th day of October 1965 at 319 Hickory Street, West Monroe, Louisiana?

Mr. REAGAN. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. REAGAN. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501. First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Reagan, the subpoena served upon you and the attachment thereto, which was made a part of that subpoena, called upon you to produce certain documents set forth in paragraph 1 as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service in your possession, custody or control, or maintained by you or available to you as Great Titan of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I request you to produce, in your representative capacity stated therein, the documents called for by part 1 of your subpoena.

Mr. REAGAN. Sir, I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by this committee in a subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Chairman, I ask for a direction for the production of the documents called for in paragraph 1 of the subpoena.

The CHAIRMAN. I assume our previous stipulation stands as to the significance of this subpoena as it applies to this witness?

Mr. CHALMERS. Yes.

The CHAIRMAN. Pursuant to the stipulation made, I order and direct you to produce those documents in the capacities stated in the subpoena.

Mr. REAGAN. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Reagan, paragraph 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member or Great Titan of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. REAGAN. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

The CHAIRMAN. Mr. Reagan, when were you born?

Mr. REAGAN. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. According to the memorandum before me, it appears you ran for the highest office of your organization in the State of Louisiana and for that reason, since you appear to be quite young, I think the question is completely pertinent and I order and direct you to answer that question.

Mr. REAGAN. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Reagan, are you a member at the present time of any Klan organization in the United States?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I notice in your lapel, Mr. Reagan, you have the Klan pin. I ask you if that is worn by a person who is not a member of the Ku Klux Klan?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. You are proud to wear it, but not to state it.

Mr. REAGAN. Sir—

Mr. CHALMERS. Wait a minute. That was just an observation.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Reagan.

Mr. Reagan was born on July 18, 1939, at West Monroe, Louisiana. He served in the Air Force from 9-13-56 to 10-1-58, and in the Reserve to 12 September 1962. His military specialty was that of a sup-

helper, and he was honorably discharged, a medical discharge because of a bad back.

Mr. Reagan has a high school education and is currently employed by the Horton Sewing Machine Company on 1200 Cypress Street, West Monroe.

Mr. Reagan has been a member of the United Klans of America, and in August of 1964 he was great titan covering the jurisdiction of northern Louisiana. In September 1964, he was a delegate to the Imperial Klonvokation held at the Dinkler-Tutwiler Hotel in Birmingham, Alabama.

On November 7, 1964, his name appears on the signature card of an account opened in the name of the Committee of United Clans of America—and this is spelled with a "C" and not a "K"—at the Central Savings Bank & Trust Company in Monroe, Louisiana, and the cosigner of the account, in addition to Mr. Reagan, is Leon Smudrick, the former exalted cyclops of a Klavern of the United Klans of America known as the Monroe Hunting and Fishing Club.

(Document marked "Tommy Reagan Exhibit No. 1" follows:)

TOMMY REAGAN EXHIBIT NO. 1

RMJ

AUTHORIZED SIGNATURE OF

Leon Smudrick AND Tommy Reagan

FOR THE TRANSACTION OF BUSINESS WITH

CENTRAL SAVINGS BANK & TRUST CO. MONROE, LOUISIANA

Items received for deposit or collection are accepted on the following terms and conditions. This bank acts only as depositor's collecting agent and assumes no responsibility beyond its exercise of due care. All items are credited subject to final payment and to receipt of proceeds of final payment in cash or solvent credits by this bank at its own office. This bank may forward items to correspondents and shall not be liable for delay or loss of items or for its own negligence. Items and their proceeds may be handled by any Federal Reserve bank in accordance with applicable Federal Reserve rules, and by this bank or any correspondent, in accordance with any common bank practice. This bank may charge back, at any time prior to midnight on its business day next following the day of deposit, any item drawn on this bank which is ascertained to be drawn against insufficient funds or other wise not good for payment. Items received after this bank's regular afternoon closing hour shall be deemed received the next business day. This bank reserves the right to post all deposits, including deposits of cash and of items drawn on other banks, later than midnight of its next business day after their receipt at this office during regular banking hours, and shall not be liable for damages for nonpayment of any presented item resulting from the exercise of this right.

SIGNATURE Leon Smudrick **Leon Smudrick**

SIGNATURE Tommy Reagan **Tommy Reagan**

SIGNATURE *****

ADDRESS P.O. Box 251, Monroe, La. **Committee of United Clans of America**

DATE November 7, 1964 INTRODUCED BY Leon Smudrick

☒ CHECKING ACCOUNT ☐ SAVINGS ACCOUNT

0 25 019 8

Mr. APPELL. I might point out, Mr. Chairman, in that connection, that the Monroe Hunting and Fishing Club has been a Klavern of the Original Knights under Mr. Young, of the Original Knights under Mr. Martin, and now under the United Klans of America.

On December 6, 1964, following a public rally at the West Monroe fairgrounds, Mr. Reagan, in response to an inquiry about the absence of Imperial Wizard Robert Shelton, reported that Shelton was in Mississippi contacting United Klans of America Klaverns about raising money to defend the individuals arrested by the FBI in the murder of the civil rights workers.

In January of 1965, Mr. Reagan attended meetings of imperial and other officers of the United Klans of America at Tuscaloosa, Alabama.

In March of 1965, Mr. Reagan was a defeated candidate——

The CHAIRMAN. '65 or '64?

Mr. APPELL. '65, sir—for the office of Grand Dragon of the Realm of Louisiana, which is operated under the cover name of the Louisiana Rescue Service.

In March and April 1965, Reagan took judo lessons with other Klansmen in the West Monroe, Louisiana, area.

This information, Mr. Chairman, indicates that Mr. Reagan possesses additional information which is pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. I might say that I completely agree. If he cares to, he could shed a lot of light, provide a lot of additional facts within his knowledge.

In any case, Mr. Reagan, you have heard the sworn statement of the committee's investigator, Mr. Appell, who is under oath just like you are. We want the truth and nothing but the truth. I now give you the opportunity to reply to any portions of that statement, to confirm or challenge the accuracy of the information, or to explain any part of it. In addition, you may—and I urge you to—offer any other matter which the committee may deem relevant to this inquiry. Do you care to avail yourself of this opportunity?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. In that case, I must tell you, Mr. Reagan, absent your rebuttal, or facts that may come to the attention of the committee, the committee will rely upon the accuracy of the investigation.

Bearing this in mind, do you have anything to say?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Having attended a school which apparently teaches everything but what appears in the literature of the Klan organization, do you know anything about the actions of the wrecking crews which are part of the activities of the Klan?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. That is all.

Mr. APPELL. Mr. Reagan, prior, to the holding of the Imperial Klonvokation at the Dinkler-Tutwiler Hotel, that hotel distributed to the United Klans of America, who represented itself to the hotel as the Alabama Rescue Service, a printed card by which delegates to the convention, klonvokation, could request reservations. I show you a reproduction of a card stating, "I will be attending the convention of the Alabama Rescue Service," when the party will arrive, when the party plans to depart, and requesting a reservation for four double bedrooms. It is signed "Tommy F. Reagan & Party, 600 No. 7th St., W. Monroe, La." I ask you if you mailed the original of that card to the hotel.

(Document handed to witness.)

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "Tommy Reagan Exhibit No. 2" follows:)

TOMMY REAGAN EXHIBIT NO. 2



MAKE YOUR HOTEL RESERVATIONS NOW!

I will be attending the convention of the . . .

ALABAMA RESERVE SERVICE
(name of group or association)I will arrive (day) SA T (date) SEPT 5 (hour) 3 P m.I will depart (day) SUN (date) SEPT 6 (hour) 4 P m.

Reserve for me the following accommodations . . .

(check one) ☐ single ☒ double bedrooms ☐ suite 08.50
☐ twin bedroomYOUR NAME Tommy E. Reagan & PartyADDRESS 610 So. 7th St.CITY W. Monroe, La

Mr. APPELL. Will you identify to the committee the other members of your party?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that as a delegate to that convention or klonvokation you participated in the election of the Imperial Wizard, Robert Shelton; the Imperial Klokard, Robert Collins; the Imperial Kludd, the Reverend Dorsett; the Imperial Kladd, Robert Hudgins; the Imperial Klarogo, Walter Brown; and the Imperial Klexter, Robert Korman.

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, may I have 1 minute?

The CHAIRMAN. The committee will stand in recess for a minute? (Brief recess.)

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Reagan, does the Monroe, Louisiana, area of the United Klans of America have a woman's auxiliary which covers its true function by going under the name of the Green Thumb Club?

Mr. REAGAN. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I have no further question to ask the witness.

The CHAIRMAN. The witness is excused.

The committee will stand in recess until next Tuesday at 10 a.m.

(Whereupon, at 12:30 p.m., Friday, January 7, 1966, the subcommittee recessed, to reconvene at 10 a.m., Tuesday, January 11, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

TUESDAY, JANUARY 11, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:10 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. Appell, call your first witness.

Mr. APPELL. Mr. Chairman, I would like to call Mr. John H. Gipson.

Mr. Gipson, would you come up here and take the stand, please?

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you shall give in this session will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GIPSON. I do.

The CHAIRMAN. Have a seat.

TESTIMONY OF JOHN HUGH GIPSON

Mr. APPELL. Mr. Gipson, if you will talk into the microphone I think that the committee will be able to hear you. The acoustics here are rather bad.

Would you state your full name for the record?

Mr. GIPSON. John Hugh Gipson.

Mr. APPELL. And that is spelled G-i-p-s-o-n?

Mr. GIPSON. Right.

Mr. APPELL. Where do you presently reside, sir?

Mr. GIPSON. Slidell, Louisiana.

Mr. APPELL. When and where were you born?

Mr. GIPSON. St. Tammany Parish.

Mr. APPELL. And the month?

Mr. GIPSON. March 24, 1936.

Mr. APPELL. Mr. Gipson, you are not appearing before the committee this morning with counsel. Do you desire counsel?

Mr. GIPSON. Yes, sir.

Mr. APPELL. You desire an attorney to accompany you—

The CHAIRMAN. Do you desire to have a lawyer?

Mr. APPELL. —here this morning?

Mr. GIPSON. Sir?

Mr. APPELL. I say, you do not have an attorney with you?

Mr. GIPSON. No, sir.

Mr. APPELL. Do you want an attorney?

Mr. GIPSON. No, sir.

The CHAIRMAN. Mr. Gipson, you do not have a lawyer. You said you don't want one.

I want you to know that, if you want to, you may invoke the fifth amendment. You don't have to, but if you want to I want you to know that we respect your rights.

Mr. GIPSON. Yes, sir.

Mr. APPELL. Mr. Gipson, how far did you go in school?

Mr. GIPSON. I quit school in the seventh grade.

Mr. APPELL. Over the recent years what has been your principal occupation?

Mr. GIPSON. Most of my life I logged, working in the woods.

The CHAIRMAN. Logging?

Mr. GIPSON. Logging.

Mr. APPELL. Mr. Gipson, have you ever been a member of any Ku Klux Klan organization?

Mr. GIPSON. Yes, sir.

Mr. APPELL. When did you join a Ku Klux Klan organization?

Mr. GIPSON. It was in 1963.

Mr. APPELL. And was this the Original Knights of the Ku Klux Klan?

Mr. GIPSON. Yes, sir.

Mr. APPELL. And was this the organization that was headed statewide by J. D. Swenson and Royal V. Young?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Were you acquainted with dissension which grew up within the Original Knights over finances involving Mr. Swenson and/or Mr. Young?

Mr. GIPSON. I know they had some kind of money squabble, but I don't know too much about it. I was just becoming a member then and I did know they had some squabble over the money.

Mr. APPELL. And you do know that after this money squabble Mr. Young and Mr. Swenson were no longer the leaders of the organization?

Mr. GIPSON. Right.

Mr. APPELL. In 1963 when you joined the Original Knights of the Ku Klux Klan, who recruited you into the organization?

Mr. GIPSON. Herbert Gornor.

Mr. APPELL. G-o-r-n-o-r?

Mr. GIPSON. Yes.

Mr. APPELL. And to what Klavern of the Original Knights were you assigned after you became a member?

Mr. GIPSON. To the Pearl River.

Mr. APPELL. Was this Klavern also known as the Pearl River Hunting and Fishing Club?

Mr. GIPSON. It was.

Mr. APPELL. The first meeting that you attended was held where?

Mr. GIPSON. By Cary Crawford's house; in the house, in fact.

Mr. APPELL. In the house of Cary Crawford?

Mr. GIPSON. Yes, sir.

Mr. APPELL. And he was a member of the Pearl River unit?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Why did you join the Klan? What interested you in the Klan's program which caused you to join?

Mr. GIPSON. Well, at the time I thought it was a pretty good thing the way they explained it to me. It did sound good, but the longer I stayed in and the further I went, I seen that they didn't live up to the oath that they took, because when I went in it was supposed to be no violence. Their fighting was going to be with boycotts and ballots and with economic pressure.

Mr. APPELL. At the time you joined, what was the klectokon, or recruitment fee, which you had to pay to get into the Klan?

Mr. GIPSON. Ten dollars initiation fee; ten dollars for uniform.

Mr. APPELL. This is the robe?

Mr. GIPSON. Yes, sir.

Mr. APPELL. And what were the dues paid by the members within their respective Klaverns?

Mr. GIPSON. Four and a half a quarter. A quarter was 3 months.

Mr. APPELL. At the time you joined the unit, who was the exalted cyclops, or the leader of the Klavern?

Mr. GIPSON. Mr. Rowley.

Mr. APPELL. Is this Mr. Ewell R-o-w-l-e-y?

Mr. GIPSON. Right.

Mr. APPELL. What did you know his occupation or profession to be?

Mr. GIPSON. He was principal at the school.

Mr. APPELL. This is the Sixth Ward Junior High School, also known as the Pearl River?

Mr. GIPSON. At the time I went in, he was principal at Pearl River School, but then he got a transfer to Sixth Ward High School.

Mr. APPELL. How long did Mr. Rowley continue to be the exalted cyclops?

Mr. GIPSON. As well as I remember somewhere around 7 to 8 months.

Mr. APPELL. Who replaced Mr. Rowley as the exalted cyclops of the unit?

Mr. GIPSON. Beg pardon?

Mr. APPELL. Who was the next exalted cyclops after Mr. Rowley?

Mr. GIPSON. Nelson Ainsworth.

Mr. APPELL. What business is Mr. Ainsworth in in the Pearl River area?

Mr. GIPSON. He owns the dump trucks, hauling sand and gravel.

Mr. APPELL. Who was the secretary of the Klavern, the man to whom dues were paid and the man who kept notes and records of the meeting?

Mr. GIPSON. Howard Swenson.

Mr. APPELL. And is Howard Swenson employed by a tobacco company as a route salesman working out of Bogalusa?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Who succeeded Nelson Ainsworth as the exalted cyclops of your unit?

Mr. GIPSON. James L. Leslie.

The CHAIRMAN. Will you spell that?

Mr. APPELL. L-e-s-l-i-e.

Is he known in the community by the nickname of Preacher Leslie?

Mr. GIPSON. Yes, sir, he is.

Mr. APPELL. Is he currently engaged in the profession of a minister, or does he have some other occupation?

Mr. GIPSON. He is a mechanic.

Mr. APPELL. He is a mechanic now?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Do you know from what origin he gets the nickname of Preacher?

Mr. GIPSON. He was supposed to have been an ordained preacher at one time.

Mr. APPELL. Who was the secretary of the Klavern under James Leslie?

Mr. GIPSON. Clayton Hickey.

Mr. APPELL. C-l-a-y-t-o-n H-i-c-k-e-y?

Mr. GIPSON. Right.

Mr. APPELL. And what does Mr. Hickey do?

Mr. GIPSON. He is an iron worker.

Mr. APPELL. Is he presently under some kind of suspension from the *Times-Picayune*, where he had been employed as a typesetter?

Mr. GIPSON. Yes, sir, he is.

Mr. APPELL. Mr. Gipson, where did this Klavern at the time Mr. Leslie was the exalted cyclops hold some of its meetings?

Mr. GIPSON. Al Bardin's Pine View.

Mr. APPELL. And he owns and operates Pine View Salvage Company?

Mr. GIPSON. Right.

Mr. APPELL. Mr. Gipson, within the organizational structure of the Original Knights there is provision made within the Klavern and within the realm level of a body of men known as the wrecking crew?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Are you familiar with the activities of the wrecking crew?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Were you ever a member of a wrecking crew?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Prior to becoming a member of the wrecking crew

do you ever, in consultation with other Klansmen, carry out an act against anyone?

Mr. GIPSON. Yes, sir; one time.

Mr. APPELL. Would you tell the committee in your own words what the act was and what led up to it?

Mr. GIPSON. Well, they had a boy in our community and he was, according to Oscar Anderson, chief KBI.

Mr. APPELL. Oscar Anderson was the chief of the KBI?

Mr. GIPSON. Yes, sir. He said the boy drinks and didn't take care of his family, late out at night, and he needed to be straightened out with a belt.

Mr. APPELL. Did it come about that the opinion of Mr. Anderson, who was the KBI—Klan Bureau of Investigation—man, and a group of Klansmen carried out Mr. Anderson's belief that this man should be handled and taken care of with a belt?

Mr. GIPSON. Yes, sir, they did.

Mr. APPELL. Who was this man that was going to be whipped with a belt?

Mr. GIPSON. Clarence O'Berry.

Mr. APPELL. O'-B-e-r-r-y?

Mr. GIPSON. Right.

The CHAIRMAN. Is that a white boy or a Negro boy?

Mr. GIPSON. He was a white boy.

Mr. APPELL. With respect to the planning and the participants involved in this act, would you, in your own words, tell the committee what transpired? I first would like to ask you approximately when this planning and the actual beating were carried out.

Mr. GIPSON. The night that he got whipped we had a regular Klan meeting. Oscar Anderson told us that after the meeting he wanted to talk to us. After the meeting he came out, and everybody there were the ones who went.

The CHAIRMAN. Who were they?

Mr. GIPSON. Myself, John Gipson, L. M. Raynor, Harold Brakefield, Herbert Gornor.

The CHAIRMAN. Could you remember about when that was, what month and what year approximately?

Mr. APPELL. Is that approximately July of 1964?

Mr. GIPSON. It is in July sometime.

The CHAIRMAN. 1964?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Continue.

Mr. GIPSON. He said he thought that night would be a good night to get him, but he thought he was laying out in one of them barrooms down there that night. He told us to follow him down to this barroom. We went down and we parked on the side road. He made a stop in front of the barroom and said he seen the boy sitting at the table, and he was watching the boy. In some kind of way the boy came out and caught a ride.

He said "He must be on his way home." He told us to follow him. We went up Highway 11, turned off 11 up 41, and he went up the road and passed the boy's road which goes to his house and he was going to watch for the sheriff.

We turned around then, and he come back. Sure enough the boy was about a quarter of a mile from his house. We caught him, drug him off in the woods, Harold Brakefield, Gornor, Oscar Anderson, and L. M. Raynor. They pulled his pants down, and I hit him two or three licks, and Eliot Rand took the belt and he really whipped him. He was whipping him so hard I reached and grabbed his wrist one time and shoved him back.

When we got through we just left him there.

The CHAIRMAN. On the ground?

Mr. GIPSON. On the ground.

Mr. APPELL. Was O'Berry pretty well welted?

Mr. GIPSON. Yes, he was in a pretty bad way.

Mr. APPELL. Was there any discussion among the people of getting him medical attention?

Mr. GIPSON. No, sir, there wasn't.

Mr. APPELL. He was left there without anyone caring how he was going to get home or whether he was going to get any kind of medical attention?

Mr. GIPSON. That's right.

Mr. APPELL. Was he told by the Klansman why he was being whipped?

Mr. GIPSON. I understood that he had had some warning before that, but I didn't know nothing about that.

Mr. APPELL. But on the night that he was whipped he wasn't told why?

Mr. GIPSON. No, sir; nobody talked.

Mr. APPELL. Following this act against Clarence O'Berry, were you formally inducted into a wrecking crew?

Mr. GIPSON. I wasn't at the time O'Berry got whipped, but after that they got them a wrecking crew up and I was sworn in.

Mr. APPELL. Would you describe to the committee the procedures that you went through in order to be inducted into the wrecking crew?

Mr. GIPSON. This guy, Oscar Anderson, told me to come down by his station. He was running a station at that time. He had some men he wanted me to talk with. Whenever I got down there they had two fellows that I didn't know, and never did know. They were supposed to be from northeast Louisiana. They told that there had to be something set up to stop all these smart niggers and things, and that laws was made for something, but sometimes they had to be broken and there had to be some good men to do it. Then they swore in a few of us that night, and we took a different oath than they have in the regular Klavern.

Mr. APPELL. Let me interrupt you there. In the discussion of taking care of people, people that you describe, to what extremes was this group willing to go, or were they told they might have to go, in order to take care of smart Negroes?

Mr. GIPSON. They said it might even come necessary to have to murder somebody.

Mr. APPELL. You testified that you took an oath which was different from the oath administered in a Klavern. Do you remember the context of this oath, or do you remember any part of it which made an impression upon you at the time?

Mr. GIPSON. Yes, sir. One part of it I well remember, the part where "if you reveal any secrecy, ever talk, that you would get your head blown from your shoulders." I well remember that.

Mr. APPELL. Your testimony is that, as part of this oath, it was set forth that a violation of the secrecy of the wrecking crew would result in your head being blown off from your shoulders?

Mr. GIPSON. Right.

Mr. APPELL. Was there discussion—

The CHAIRMAN. May I first ask a question about the meeting? Were any of you in robes or were you in plain clothes when you administered that oath?

Mr. GIPSON. We had plain clothes, but we had black masks.

The CHAIRMAN. And that was in July of 1964?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. All right.

Mr. APPELL. I was going to ask about subsequent events, Mr. Chairman—but this black mask that you wore, did it cover your head so that no one could identify you, so that only the eye slits showed through?

Mr. GIPSON. That's right.

Mr. APPELL. Was there any discussion after the oath as to retaliation against a member of the wrecking crew who might violate any of the secrets of the members of the wrecking crew?

Mr. GIPSON. Yes, sir. They said if a fellow ever talked that they would get him, that they might not get him then, it might be 5 or 10 years later, but he would be gotten.

Mr. POOL. Who said this?

Mr. GIPSON. These two fellas that were supposed to have been from northeast Louisiana.

Mr. POOL. You don't know the names?

Mr. GIPSON. No, sir. I never did find their names out. They said that they could get men from somewhere else to do these jobs.

Mr. POOL. Where did they tell you this?

Mr. GIPSON. At Al Bardin's.

Mr. POOL. Anybody else here?

Mr. GIPSON. No, sir.

Mr. POOL. You are the only one who talked?

Mr. GIPSON. I misunderstood. I thought you asked did anybody else hear it. I heard it, Oscar Anderson, Harold Brakefield, L. M. Raynor, Nelson Ainsworth.

Mr. POOL. Did you ever ask who these fellows were?

Mr. GIPSON. No, sir; I never did.

Mr. WELTNER. What was your understanding as to what was meant by "they will get you"?

Mr. GIPSON. My understanding was that if anybody ever revealed any of their secrets that they would kill you.

Mr. WELTNER. Was there any question about what they meant by "get you" in your mind?

Mr. GIPSON. Well, I knew what they meant.

Mr. WELTNER. Thank you, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. I want to ask you, and this will be a complete answer,

I think, to Mr. Pool's question—in addition to yourself who on this night took the wrecking crew oath?

Mr. GIPSON. Oscar Anderson, he took it hisself; Harold Brakefield; L. M. Raynor; Louis Singletary.

Mr. APPELL. S-i-n-g-l-e-t-a-r-y?

Mr. GIPSON. Right; Harold Brakefield, Henry Gaines——

The CHAIRMAN. Could you tell us about the ages of those people? Were they about your age? Were some older or some younger than you?

Mr. GIPSON. There was two boys—three boys—pretty close to about my age, and the rest of them was older than me.

The CHAIRMAN. How old would you say?

Mr. GIPSON. I am 29.

The CHAIRMAN. You were then 27?

Mr. GIPSON. Yes, sir.

Mr. APPELL. In addition to those that you have already named. L. M. Raynor, Harold Brakefield, Nelson Ainsworth, and Louis Singletary and Henry Gaines, was a man by the name of Talley, whose first name is Vernon Edgar Talley, another who took the wrecking crew oath at that time?

Mr. GIPSON. Yes, sir, he was.

Mr. APPELL. And Henry Clayton Hickey, H-i-c-k-e-y?

Mr. GIPSON. Right; he took the oath, too.

Mr. APPELL. Did the wrecking crew meet and discuss its business as part of the regular Klavern meeting, or did the members of the wrecking crew hold separate, independent meetings?

Mr. GIPSON. They held separate meetings.

Mr. APPELL. Where would these meetings be held—at the residence of different members?

Mr. GIPSON. Yes, sir, in the residences.

Mr. APPELL. At whose residences did some of the meetings of this particular group take place?

Mr. GIPSON. Most of the time at Oscar Anderson's house.

Mr. POOL. Was Oscar Anderson the leader of this group?

Mr. GIPSON. Yes, sir.

Mr. POOL. He presided at the meetings?

Mr. GIPSON. Yes, sir.

Mr. POOL. He gave you instructions?

Mr. GIPSON. Yes, sir.

Mr. POOL. He administered the oath? Who administered the oath?

Mr. GIPSON. Them boys that come down from northeast Louisiana. they swore him in as the leader and then he was supposed to lead from there on.

Mr. POOL. They designated him as the leader?

Mr. GIPSON. In other words, they was just starting him out, just like they were supposed to already have been.

Mr. APPELL. After they swore in Oscar Anderson, then Oscar Anderson in turn administered the oath to the local members of the wrecking crew?

Mr. GIPSON. Yes, sir.

Mr. APPELL. How often did this wrecking crew normally meet?

Mr. GIPSON. They met about once a week.

Mr. APPELL. Did you or other members of the wrecking crew ever travel to places outside of the Pearl River area for the purpose of discussing operations and projects or jobs which the wrecking crew should involve itself in?

Mr. GIPSON. I never did get out of the area of Slidell and Pearl River.

Mr. APPELL. Did you ever attend any meetings in Covington?

Mr. GIPSON. Yes, sir, I did attend a meeting out there but it was a kind of a State meeting like, State officers mostly.

Mr. APPELL. And not restricted to wrecking crew personnel?

Mr. GIPSON. No, sir. But there was a little discussion there I heard on one part of it.

Mr. APPELL. Would you describe this meeting for us and tell us where it was held and approximately when it was held?

Mr. GIPSON. One Sunday morning Oscar Anderson come by my house and told me he had a call to meet with some fellows in Covington. He didn't know who or what was going on.

Mr. APPELL. I interrupt you there, Mr. Gipson. In an interview which you had with me did we establish that the approximate date of this meeting was Sunday, the 25th of July 1965?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. For the record, about how far is Covington from Slidell?

Mr. GIPSON. Must be around about 25 miles.

The CHAIRMAN. About how far is Slidell from Bogalusa, approximately?

Mr. GIPSON. 36 miles roughly.

The CHAIRMAN. And how far is Covington from Bogalusa, approximately?

Mr. GIPSON. About 50 or 60 miles.

The CHAIRMAN. All right. Go ahead.

Mr. APPELL. You had told, up to the point of my interruption, that Oscar Anderson had advised you that he had to go to Covington to meet with some fellows. Did you accompany Oscar Anderson to Covington to meet with these fellows?

Mr. GIPSON. Yes, sir. On the way he picked up Al Bardin.

Mr. APPELL. He picked up Al Bardin, whom we discussed previously as the owner of the Pine View Salvage Company?

Mr. GIPSON. Yes, sir.

Mr. APPELL. And the three of you then traveled to Covington?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Did you have a meeting in Covington?

Mr. GIPSON. Yes, sir. It was a little meeting.

Mr. APPELL. Where was this meeting held?

Mr. GIPSON. At Pete Holden's home.

Mr. APPELL. That is James Holden, Mr. Chairman, who was a witness before the committee last week and refused to testify and invoked his constitutional privileges.

Would you proceed in your own words to describe who was there and what the general discussion of those assembled was?

Mr. GIPSON. S. J. Parker was there; Saxon Farmer.

Mr. APPELL. Is Mr. Parker from Bush?

Mr. GIPSON. Yes, sir, from up around Bush.

Mr. APPELL. And Saxon Farmer is from Bogalusa.

Mr. Chairman, I think the record should show that he was a witness before the committee last week and refused to testify on constitutional privileges.

You have mentioned Parker and Farmer.

Mr. GIPSON. And Pete Holden.

Mr. APPELL. In whose house the meeting was held?

Mr. GIPSON. Yes. Oscar Anderson, Al Bardin and myself, Johnnie Gipson.

Mr. APPELL. Was Albert M. Bancks, B-a-n-c-k-s, also there?

Mr. GIPSON. That is right; he was there, too.

Mr. APPELL. Mr. Chairman, I think the record should show that at the time of that meeting Mr. Albert M. Bancks resided at Folsom, Louisiana, but is currently residing at Foxboro, Mississippi.

Will you proceed with the discussions that might have taken place at this meeting that you can recall?

Mr. GIPSON. I heard Oscar Anderson ask Saxon Farmer were they still going through with the plans to burn the churches, and Saxon Farmer told him "yes," that it was going to be done statewide, that they would follow the plans through.

Mr. APPELL. Following that meeting, was there subsequently a meeting of members of the wrecking crew in your area?

Mr. GIPSON. Yes.

Mr. APPELL. Which meeting related itself to the actual burning of churches?

Mr. GIPSON. Yes, sir.

Mr. APPELL. I think in the interview we established that this meeting was held on July 31, the Saturday following the meeting at Pete Holden's house, that it was held at the house of Oscar Anderson; is that true?

Mr. GIPSON. Right.

Mr. APPELL. Would you tell the committee the discussion that went on at that meeting?

Mr. GIPSON. We met there, and they decided they would wet the buildings down with gas.

Mr. APPELL. What buildings are we talking about?

Mr. GIPSON. The Hartsell Methodist Church, I believe.

Mr. APPELL. Methodist Youth Center, I believe is the technical name.

Mr. GIPSON. Yes.

Mr. POOL. What town?

Mr. GIPSON. In Slidell.

Mr. APPELL. The other was the Providence Baptist Church?

Mr. GIPSON. On Thompson Road.

The CHAIRMAN. Were those churches with white congregations or Negro congregations? Were they colored or white churches?

Mr. GIPSON. They were colored churches. They said they were using them for civil rights meetings. They decided they would wet them down with gas, take four matches, two on each side of a cigarette, and wrap a rubber band around them to ignite the gas. That was the trigger.

Mr. APPELL. During the interview, Mr. Gipson, under your guidance and instruction, did we sort of simulate the type of instrument that was used to ignite the gas? I show this to you.

Mr. GIPSON. Yes, sir.

The CHAIRMAN. Is that the kind of torch that they had planned to use?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. Describe that torch.

Mr. APPELL. Mr. Chairman, the torch that we manufactured at the guidance of Mr. Gipson is an ordinary cigarette which has four matches attached to it. These are wood matches, not paper matches. They are held in place around the cigarette with a rubber band. The cigarette is ignited and as it burns down it then ignites the matches. The time that the people have to get away depends upon how close or far removed they put the matches to the ignited end of the cigarette.

Mr. POOL. Is that description the way it was?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Was a time set at which the burning of these two churches would take place?

Mr. GIPSON. Yes. It was set on a Monday night.

Mr. APPELL. Is this the Monday which followed the meeting at Oscar Anderson's house on Saturday?

Mr. GIPSON. On Saturday, that is right.

Mr. APPELL. This would then make it on August 2?

Mr. GIPSON. Yes, sir. They figured the best time would be in the morning, which would be Tuesday morning at about 1 o'clock.

The CHAIRMAN. In the afternoon?

Mr. APPELL. A.M.

The CHAIRMAN. In other words, Tuesday at 1 o'clock a.m.

Mr. GIPSON. Yes, sir.

The CHAIRMAN. Just past Monday midnight.

Mr. GIPSON. That is right. They said there wouldn't be too many people stirring at that hour of the night.

Mr. APPELL. On the following Monday night, were these acts carried out?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Would you describe in your own words how the rendezvous was established and how the teams were set up to carry out the actual purpose?

Mr. GIPSON. That Monday night we had a regular Klan meeting at James L. Leslie's house.

Mr. APPELL. He was the exalted cyclops of the unit at that time?

Mr. GIPSON. Right.

Mr. APPELL. You mentioned the meeting was held on a Monday night. Was this the normal night for a meeting of the Klavern?

Mr. GIPSON. No, sir. They had been meeting on Friday nights, but they decided they would change nights.

Mr. APPELL. In order to keep the sheriff's department and the FBI from observing their meetings, they then switched the meeting nights?

Mr. GIPSON. Right.

Mr. APPELL. Proceed with the meeting and what happened?

Mr. GIPSON. We had a regular meeting—

The CHAIRMAN. By "we," do you mean the wrecking crew?

Mr. GIPSON. Yes.

Mr. APPELL. By the regular meeting, you mean of the Klavern membership?

Mr. GIPSON. The Klavern meeting and the wrecking crew men were there, too. After the regular meeting, Oscar Anderson said just wait until everybody left, and when everybody left he come around and he asked if everything was ready, and was told yes. He said, "Well, I am going home so I will have an ironclad alibi"——

Mr. APPELL. Let me interrupt you there. Oscar Anderson is the KBI man?

Mr. GIPSON. Yes, sir.

Mr. APPELL. He is the man who planned the action?

Mr. GIPSON. Right.

Mr. APPELL. But instead of going with you to carry out these acts, he is going home so he can have a perfect alibi?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. What is that?

Mr. APPELL. He is going home after planning it and getting the people to do it, so he will have a perfect alibi.

Mr. GIPSON. He doesn't worry about the rest of the guys. So we left and went on about 3 miles and we stopped again. We were going to split up there. So two took the one on Thompson Road.

The CHAIRMAN. I do not want to break into your thoughts, but when you say "we," who are they? You and who else?

Mr. GIPSON. L. M. Raynor and Louis Singletary were going to take the one on Thompson Road, and myself and Clayton Hickey and Ed Talley were going to get the the other one on Shortcut Highway.

Mr. APPELL. That would be the Hartsell Methodist Youth Center?

Mr. GIPSON. Yes, sir.

Mr. APPELL. Continue.

Mr. GIPSON. I had my truck. The other two boys had a car. They were going to let me take my truck home, and I was going to leave it. They were going to pick me up. I had two of these little hand walkie-talkie radios that they use on guard duty around the Klavern. I had me a little story made up. When I went in and put the radios up, I come back out and told them, the two boys I was with, Hickey and Talley, that my wife was crying and begging me not to go, which was the story I just made up, and that I couldn't go. They said, "We understand, but we will take care of it."

Mr. APPELL. To your knowledge and to the public knowledge of people in the community, were the Providence Baptist Church and the Hartsell Methodist Youth Center set fire that night?

Mr. GIPSON. Yes, sir. The next morning I went to work and I heard it on the radio that they were both burned down.

Mr. APPELL. After this burning, did you continue active membership in the Klan?

Mr. GIPSON. After that happened, I knew I couldn't go on with them kind of things, and I slacked off. I got on the side with the law officials, and they advised and asked me would I get back in the groove and go back to the regular meetings so I could help stop that kind of things, and I did.

(At this point Representative Senner entered the hearing room.)

The CHAIRMAN. What law officials?

Mr. GIPSON. Mr. Broom.

The CHAIRMAN. Who is he?

Mr. GIPSON. Sheriff Broom of St. Tammany Parish.

The CHAIRMAN. It was by arrangement of your sheriff that you appear here today? Is that right, as far as you know? I am telling you it is.

Mr. GIPSON. Yes, sir.

The CHAIRMAN. You said you were engaged in logging operations. I think even yesterday you were logging; were you not?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. Through your sheriff you asked two things of the committee. One, that your expenses be paid and, second, that you be afforded police protection while you were in Washington; is that correct?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. I have afforded you that, and I direct the police to continue that watch.

By the way, there was discussion about your protection when you went back home. The sheriff said he would take care of that. I congratulate him.

Mr. GIPSON. He is a fine fellow.

Mr. APPELL. Mr. Gipson, on January 5, 1966, did you then leave the Klan and become a witness for the State in a prosecution of fellow Klansmen who carried out the whipping of Clarence O'Berry?

Mr. GIPSON. Yes, sir, I did.

Mr. POOL. I did not get the last question, Mr. Appell.

Mr. APPELL. I asked whether or not the witness on January 5, 1966, became a witness in a trial growing out of the whipping of Clarence O'Berry.

It was with your taking the witness stand in that case that you severed your Klan connections, which immediately prior thereto you were carrying out at the request of Sheriff Broom of St. Tammany Parish?

Mr. GIPSON. Yes, sir.

Mr. APPELL. I do not know whether you possess knowledge but I shall ask: In October 1965 there was a fire in the Sixth Ward near Hickory occasioned by threats brought against the builder of the property because he was using Negro help in finishing cement or concrete. The first threat of burning of the lumber that was being used in construction was the hanging of a doll by its neck to simulate a hanging. Do you possess knowledge of that?

Mr. GIPSON. No, sir.

Mr. APPELL. You talked about walkie-talkies that you had taken from the Klavern meeting on the night of August 2 and left at your home. What use does the Klan make of walkie-talkie radios?

Mr. GIPSON. In case anybody starts in, they can be notified inside to disband and stop their business.

Mr. APPELL. Therefore, a man outside has a walkie-talkie and someone inside—

Mr. GIPSON. They have one inside. Sometimes they might have two or three more outside. Like if the building is back off the road,

there will be one away out by the road and maybe one about the middle ways, and then one pretty close by the house.

Mr. APPELL. Is it your knowledge that within the operation of the Klan, members use very extensively citizens band radios in their automobiles for the purpose of carrying out Klan activities?

Mr. GIPSON. Yes, sir, they do. They use everything they can arrange and scrape to do it. They get every channel they can.

Mr. APPELL. Even though their authority might be for a certain channel, they do not remain within the regulations of the Federal Communications Commission?

Mr. GIPSON. I don't think they do.

Mr. APPELL. Mr. Gipson, were you defended by the same counsel that defended the defendants in that case?

Mr. GIPSON. No, sir. I had my own separate lawyer.

Mr. APPELL. What was the quotation of expense to the Klan for the defense of the Klan defendants in that trial?

Mr. GIPSON. I understood the amount would be around \$9,000. I got to figuring I might be getting took and that I wasn't going to take that lawyer because it is kinda hard for me, raising a family and the kind of work I am doing, to get up that kind of money. I was afraid I might wind up with a suit for that \$9,000. I decided I would just have me another lawyer.

Mr. APPELL. Do you know how the Klan raised the necessary legal fees that they had to pay to defend the Klansmen in that trial?

Mr. GIPSON. They raffled off a bull and they gave turkey shoots. Whenever they had a rally they would take up a collection. Stuff like that.

Mr. APPELL. Prior to going to trial, was there discussion among the people as to what they felt their chances might be during the trial, whether they were going to be acquitted or whether they were going to be found guilty?

Mr. GIPSON. They said unless somebody pimped, there wouldn't be a conviction.

Mr. APPELL. They were convicted, were they not?

Mr. GIPSON. Yes, sir, they were.

Mr. APPELL. Mr. Gipson, I have one more question to ask of you. I would like you in your own words to say why you joined the Klan and why you agreed to render assistance to Sheriff Broom of St. Tammany Parish, and therefore technically leave the Klan.

Mr. GIPSON. At the time I joined, I figured it was a pretty good thing that they had going, and I figured something might be accomplished by it, but as I stayed in and seen these things happen and they kept getting worse and worse, I knew it could not go on for me. You can't do them kind of things and get by the law like that. I just had to go the right way.

The CHAIRMAN. Mr. Gipson, I suppose it was because of people like Preacher Leslie and High School Principal Rowley—it was because of people of that prominence in the community who talked to you, people of that type who led you to believe this was a good organization.

Mr. GIPSON. Yes. When I first went in, there was a lot of fellows in it, and they were what I call upstanding men. And then they started dropping out.

The CHAIRMAN. They are dropping out some more now?

Mr. GIPSON. They are dropping out. It is boiling down to just a bunch of—

The CHAIRMAN. Say it.

Mr. GIPSON. The way I would describe it would be renegades. Right now I feel my life ain't worth two cents to me. I figure my family—they might even go through them to get me.

The CHAIRMAN. Are you afraid? You are doing a courageous thing.

Mr. GIPSON. I am trying to right a wrong and help the cause of the country. I feel I am supposed to do it. I am not scared of them. I am scared of the law. I am not scared of them.

The CHAIRMAN. Do you find there are other people who are learning the truth and that they do not have that fear any more and are willing to come out and stand up for law and order?

Mr. GIPSON. Yes, sir.

The CHAIRMAN. That is what is going on in your area?

Mr. GIPSON. Yes, sir, that is right.

The CHAIRMAN. I hope this will be an example for others to do what you are doing today. I hope and express confidence that that will come about.

Mr. APPELL. With respect to the wrecking crew, are you acquainted with the constitution which provided that there should be a formal organization within the Klan known as the wrecking crew?

Mr. GIPSON. Yes.

Mr. APPELL. The wrecking crew of which you were a member was an official Klan group; is that right?

Mr. GIPSON. Yes, sir.

Mr. POOL. The members of the Klavern all knew there was such a thing as a wrecking crew which was authorized by the Klavern?

Mr. GIPSON. They pretty well knew there was a wrecking crew, but they couldn't pinpoint them out.

Mr. POOL. They knew there was such an organization within the Klavern itself?

Mr. GIPSON. I think they did.

The CHAIRMAN. But the whole idea of the Klan is that the wrecking crew itself be kept secret?

Mr. GIPSON. Be kept secret, right.

The CHAIRMAN. One more thing in addition to my reference to possible influence on you of Preacher Leslie and the high school principal. I have before me literature on this general subject, literature of the Klan, which reads: "To be read and reread until thoroughly understood by all officers and members." Also, it should be used as background material for discussions and lectures at local and unit meetings. I will read only one example: "The purpose and function of this organization is to preserve Christian Civilization."

That is the kind of thing they preach—Christianity, patriotism, love of country, anticommunism, and all the rest, in addition, of course, to hatred in matters involving racial relations. That is the kind of stuff they preach.

Mr. GIPSON. Yes, sir, that is right.

The CHAIRMAN. Do they practice what they preach?

Mr. GIPSON. No, sir, they don't.

The CHAIRMAN. Of course, burning churches and things of that nature are, to say the least, un-Christian; isn't that correct?

Mr. GIPSON. Right.

Mr. APPELL. Mr. Gipson, returning to Ewell Rowley, the high school principal, do you possess knowledge as to why he gave up the position of exalted cyclops and what rank within the Klan he assumed?

Mr. GIPSON. One of his reasons was that it was going to interfere with his job being principal of the school, and then the next reason was when this O'Berry boy got whipped, I don't believe it was brought before him and cleared before him. He realized he couldn't have no control over the men, and I think he thought it was best for him to drop out.

Mr. APPELL. Drop the position of exalted cyclops?

Mr. GIPSON. Right.

Mr. APPELL. Did he continue a membership of some kind?

Mr. GIPSON. Then he became an honorary member. Actually, he is not attending no meetings.

Mr. APPELL. Some constitutions of the Klan, if not your Klan, provide for secret members. Would you put him in this category?

Mr. GIPSON. Yes, sir.

Mr. APPELL. When you said difficulty with respect to his position of principal, were you inferring that he might lose his position? Is that the type of difficulty you referred to?

Mr. GIPSON. Yes. He felt it would cause him to lose his job.

Mr. APPELL. Mr. Chairman, the staff has not further questions of this witness.

Mr. POOL. I just want to compliment the witness for being a very brave man to come here and testify in view of the fact that there is a chance that somebody might try to harm you or your family. I want to point out to you that this committee has had similar things in the investigation of communism. We have had witnesses come and point out people who are Communists and trying to infiltrate industry and things like that. You have the same thing going on in other areas, where you have extreme groups trying to preach violence. I assure you, after these people have been named here this morning, I do not think anyone is going to try to harm you, but if they do, this committee should be notified, the chairman should be notified, and we will take action immediately.

The CHAIRMAN. There is a very severe law to the effect if anyone who takes the stand either before a court or before a committee is subjected to attempts at intimidation or recrimination or violence or threats, that is a severe thing under the law, and the law is there to punish those people. If any such thing happens, let me know. I will bet 10 to 1 no such thing is going to happen. This threat and this preaching that a wrecking crew member's talking would result in his neck being severed from his body and that members of his family will be hurt—that is just so much talk to intimidate and put the members themselves in fear. The more like you who are brave like you and talk, the less and less such a thing will happen. I would bet nothing is going to happen to you. You are protected here, and I am sure your good sheriff will protect you back home.

Mr. POOL. The Federal Government itself will become a pretty good wrecking crew if those people do try anything like that.

Mr. GIPSON. The judge I think understands that, too. I glory in his bunk. He flat laid the cards on the table.

Mr. WELTNER. Mr. Chairman, I should like to join in the statement of the Chair and of the members of the committee in commending this witness for his courage. I know courage in New York City, Buffalo, and Atlanta is one thing. Courage in Slidell, Louisiana, is another thing. I have developed an intense admiration for you since you have been here. I simply want to add this one point, Mr. Gipson. The literature which we have in the record of these hearings quite clear that the Klan realizes that its power is in the secrecy of its membership. What power the Klan has, I think it is becoming clear, depends upon the secrecy of that membership. In recent weeks, substantial changes have come about in the maintenance of that secrecy. The action of the Federal court which resulted in the submission to that court of the membership list of the Klan of Bogalusa and of the Anti-Communist Christian Association is one thing. The very fine investigation conducted by the staff of this committee is another. The fact of the matter is, Mr. Gipson, there is no secrecy of membership within the area concerning which you testified. The Federal court knows who the Klansmen are; this committee knows who the Klansmen are; the Federal Bureau of Investigation knows who the Klansmen are. So far as your concern about the danger which exists by virtue of your testimony here today to you and your family, take some heart in the fact that the agencies of the Government, both the legislative branch through this committee and the executive branch through the FBI and the judicial branch through the court in New Orleans, know exactly who it might be on the other end of that telephone when you receive a threatening call. They know exactly what group it might be that sets out some kind of intimidation or harassment of you or your family. We know, and we are determined, so far as it is within our power, speaking for the Federal Government, all branches, to protect you and your family.

The power of the Klan is the secrecy of its membership and that power has been vastly diluted and abated in recent weeks, and it will continue to dwindle because the facts are coming in and the facts will be available through people such as yourself.

Mr. POOL. I think we will have more people come forth with statements like Mr. Gipson's and further expose the Klan. Don't you agree?

Mr. WELTNER. I am certainly hopeful that the example which Mr. Gipson has set here will stimulate others to consider what is their duty as Americans as well as their duty as Christians.

Mr. GIPSON. I hope so myself. I can see it is beginning to weaken now. I know in our area it is weakened now.

Mr. WELTNER. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Gipson, I want to read from the Federal law just mentioned a while ago. Among other acts which this law makes unlawful—it states:

Whoever injures any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry, or investigation, or on account of his testifying or having testified to any matter pending therein;

* * * * *

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

The record will show that you have appeared, have been sworn, and have testified, and you have the protection of this law.

Mr. BUCHANAN. Mr. Gipson, I cannot tell you how much I admire your courage. In the last analysis, a nation is only as strong as the people who make it up, and I think you are demonstrating yourself today before this committee to be a part of the hope of our Republic, and I appreciate it.

One of the ideas which was perpetrated by the Klan organization was that they are fighters against communism. May I say, sir, that people like you, who are determined to uphold the law and attempt to do what is right, are this Nation's strength in the struggle against world communism, and those who perpetrate acts of violence and terrorism, who take the law into their own hands, serve well the Communist cause. As far as I am concerned, you here today are taking your stand as a patriot doing what is right, and people like you are the people who are really going to win the battle against communism.

I want to thank you for your testimony.

The CHAIRMAN. The committee will stand in recess until 2:30 this afternoon.

(Members present at time of recess: Representatives Willis, Pool, Weltner, and Buchanan, of the subcommittee, and also Representative Senner.)

(Whereupon, at 11:25 a.m., Tuesday, January 11, 1966, the subcommittee recessed, to reconvene at 2:30 p.m. the same day.)

AFTERNOON SESSION—TUESDAY, JANUARY 11, 1966

(The subcommittee reconvened at 2:30 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Members present: Representatives Willis, Pool, Weltner, Ashbrook, and Buchanan, of the subcommittee, and also Representative Senner.)

The CHAIRMAN. The subcommittee will come to order.

Call the first witness.

Mr. APPELL. George Gill Harris, Jr.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HARRIS. I do.

The CHAIRMAN. Proceed.

TESTIMONY OF GEORGE GILL HARRIS, JR., ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Harris, will you identify yourself for the record, please?

Mr. HARRIS. George Gill Harris, Jr.

Mr. CHALMERS. Mr. Chairman, may I state at this time his subpoena only reads "George Gil Harris." I would consent to any amendment to this subpoena by the chairman since he has identified himself as George Gill Harris, Jr. He informs me that it is G-i-l-l, rather than one "l."

The CHAIRMAN. In view of the self-identification by the witness as a person served and the statement of counsel, the subpoena will be technically corrected to conform to his true name.

Mr. APPELL. Mr. Harris, are you appearing here in accordance with subpoena, which has now been technically amended, served upon me at Fourth Street, Bernice, Louisiana, on the 27th day of October 1965?

Mr. HARRIS. Yes.

Mr. CHALMERS. Speak up for the record.

Mr. HARRIS. Yes.

Mr. APPELL. Are you represented by counsel?

Mr. HARRIS. Yes.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Raleigh, North Carolina.

Mr. APPELL. Mr. Harris, the subpoena served upon you contained the attachment thereto, which was made a part of the subpoena, under the conditions of the subpoena you were called upon to produce, bring with you and to produce documents described in the attachment, paragraph 1 of which reads as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service, Bernice Sportsman Club in your possession, custody and control, maintained by you or available to you as Kligrapp or Secretary of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. Harris, I request you to produce in your representative capacity the documents called for by part 1 of the subpoena.

The CHAIRMAN. Is it stipulated that the subpoena served upon him requires him to produce the documents therein referred to in the capacity called therein?

Mr. CHALMERS. As stated in the subpoena; yes, sir, Mr. Chairman.

Mr. HARRIS. I respectfully decline to deliver to the committee any and all documents as demanded by the committee subpoena dated October 14, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records requested by this committee under subpoena dated October 14, 1965, that information is not relevant and germane to the subcommittee's investigation and the same would not aid the Congress in consideration of any valid remedial legislation, nor is any such inquiry within the scope of that authorized to be investigated by the rules adopted by the Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Harris, before asking a direction of the Chair, I would like to ask you, have you been apprised of the statement the Chairman issued in October at the start of these hearings which set forth the purpose of the hearings and the other pertinent facts with respect thereto?

Mr. CHALMERS. I will stipulate that he has, Mr. Chairman.

Mr. APPELL. Mr. Chairman, I now ask that the witness be directed to produce those documents called for in paragraph 1. I ask for direction of paragraph 1.

The CHAIRMAN. The reasons you have given for your refusal to produce the documents called for by this part of the subpoena do not legally justify your refusal. Therefore, those reasons are rejected. Accordingly, I order and direct you to produce the documents in the representative capacity as stated by Mr. Appell and in this subpoena.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the records—grounds previously stated.

Mr. APPELL. Mr. Harris, paragraph 2 of the attachment to the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody and control, or maintained by or available to you, in your capacity as present or past Kligrapp and/or member of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

The CHAIRMAN. Is the same stipulation with reference to his representative capacity entered into?

Mr. CHALMERS. As stated in the subpoena; yes, sir, Mr. Chairman.

Mr. APPELL. Mr. Harris, I request you to produce in your representative capacity stated therein the documents called for in paragraph 2 of the subpoena.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

The CHAIRMAN. For the reasons previously indicated, I direct you to produce the documents called for in the representative capacity stated in the subpoena.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, paragraph 3 calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, "U.S. Corporation Income Tax Return," for the fiscal years 1961 through June 30, 1965, filed by you as Kligrapp.

I request you to produce in the representative capacity set forth in paragraph 3 the documents called for.

The CHAIRMAN. The same stipulation?

Mr. CHALMERS. Yes, sir.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee on the grounds previously stated.

The CHAIRMAN. For the reasons previously stated, I order and direct you to produce those documents in the capacity stated.

Mr. HARRIS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, I put it to you as a fact, and ask you to affirm or deny the fact, that as secretary of the Bernice Sportsman:

Club, Box 57, Bernice, Louisiana, and as secretary of the Louisiana Rescue Service, Box 57, Bernice, Louisiana, you filed in the case of Bernice [Sportsman Club] on August 17, 1965, and on August 18 in the case of the Louisiana Rescue Service, Forms 1120, U.S. corporate income tax return for the two organizations that I have mentioned to you.

Mr. HARRIS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. In support of the tax returns which you filed, do you have in your possession financial books and records upon which these returns were based?

Mr. HARRIS. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by the amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Have any records upon which the two returns were based been destroyed since the filing of the corporate returns mentioned on August 17 and 18, 1965?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I would like the record to reflect that the "Constitution and Laws" of the United Klans of America, Incorporated, Knights of the Ku Klux Klan, adopted in Imperial Klonsville at Birmingham, Alabama, in September 1964, set forth certain documents to be received by the grand kligrapp of a realm and prescribes the kligrapp of the realm as an officer of the organization.

Mr. Harris, when and where were you born?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Have you been an officer of the Bernice Sportsman Club since January of 1964?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Harris.

George Gill, spelled with two "l's," Harris, Jr., was born January 16, 1922, at Haynesville, Louisiana. He resides at Bernice, Louisiana, where he operates Harris' 5 and 10, a variety store. He served in the Army from September 24, 1942, to April 24, 1946, and in the Enlisted Reserve Corps until April 23, 1949. His military specialty was telephone lineman, repairman, and repeaterman. At the time of entry into the Army he claimed 1 year of college.

Harris has been a member of the Klan since at least January 1964. He has been an official of the Klavern known under the cover name Bernice Sportsman Club since January of 1964. This Klavern was affiliated with the Original Knights of the Ku Klux Klan under J. D. Swenson and Royal V. Young. It became affiliated with the United Klans of America around April 1964 and became part of Louisiana

Realm of that organization, which uses as its cover name the Louisiana Rescue Service.

Harris is currently realm kligrapp or secretary. In this position he receives monthly reports from each Klavern within the realm. He receives all funds due to the realm which he turns over to the realm treasurer. As secretary he possesses the identities of all Klavern kligrapps or secretaries as well as exalted cyclops.

On May 15-16, 1965, Harris attended a meeting of imperial officers and other Klan officials at Natchez, Mississippi.

Mr. Harris, the records of the Bank of Bernice, Bernice, Louisiana, covering the name of the Bernice Sportsman Club, handled both the funds of the realm and the funds of the Klavern. I put it to you as a fact, and ask you to affirm or deny the fact, that prior to the committee's inquiry or announcement of inquiry into the Klan, the Bernice Sportsman Club paid imperial tax on 97 members and by July of 1965 it was paying imperial tax on 25 members.

The CHAIRMAN. Before answering this question, Mr. Harris, I wish to say this to you: You have heard the sworn statement just made by the committee's investigator, Mr. Don Appell. You now have the opportunity to reply to any portion of that statement outlining your activities, to confirm or challenge the accuracy of the information, or to explain any part of that statement.

In addition you have the right, if you desire, to offer any other matters that the committee may deem relevant to this inquiry. Do you care to avail yourself of that opportunity?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. In that case, Mr. Harris, I must inform you that in the absence of your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation. With that in mind, do you have anything else to say, or anything to say?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. CHALMERS. Mr. Chairman, I think for the record there is still one question that Mr. Appell asked that the witness has not replied to yet. If we—

The CHAIRMAN. You may now respond to the pending question.

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, as the grand kligrapp of the Realm of Louisiana, which operates a little differently than most UKA realms operate, in that imperial per capita tax, until some new Klaverns came under your jurisdiction recently, you collected the imperial tax and transmitted it on to the imperial office in Tuscaloosa. Therefore, you possess knowledge of the identity of UKA Klaverns within the State of Louisiana.

An examination of deposit slips reflects that prior to August 6, 1965, when the account in the name of the Bernice Sportsman Club was closed out and a new account was opened in the name of the Louisiana Rescue Service, there were these Klaverns in existence.

After I read you the names of the Klaverns, I would like to ask

you whether or not all of the Klaverns that I mentioned to you are still in operation.

The Bernice Sportsman Club, Calhoun Businessmen's Association, C. B. Riding Club, Chatham Hunting and Fishing Club, Dubach, as we interpret the deposit slip—Mr. Chairman, D-u-b-a-c-h—Hunting and Fishing Club, the Dugdemonice Hunting Club, the Farmville Hunting and Fishing Club, the Jackson Parish Gun and Rod Club, the Marion Hunting and Fishing Club, the MOG—M-O-G, I don't know whether that is an abbreviation—Junction City Sportsman Club, the Okeloosa Hunting Club, the Ouachita Parish Hunting and Fishing Club, the Sterlington Hunting and Fishing Club #8, the Taylortown Hunting Club, Union Hunting and Fishing Club, Ward 10 Hunting Club.

Are they still in existence?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "George Harris Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Mr. Harris, does the Realm of Louisiana have a Klavern in Kenner, Louisiana?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, on August 27, 1965, Charles L. Miller of 2512 Airline Highway wrote a check or obtained a money order from the Merchants Trust and Savings Bank in Kenner, Louisiana, payable to the United Klans of America in the amount of \$30. Purpose for which drawn, copies of the Klan publication, the *Fiery Cross*.

This is according to deposits made to the account of the Alabama Rescue Service as obtained through a subpoena duces tecum from The First National Bank of Tuscaloosa, Alabama. Do you know Charles L. Miller?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "George Harris Exhibit No. 2" and retained in committee files.)

Mr. APPELL. Mr. Harris, you can help the committee understand something that confuses it. There is maintained in Bogalusa, Louisiana, an account in the name of the United Conservatives of Mississippi, No. 1. The signature to this account is B. L. Sellers. Is this a Klavern within the Realm of Louisiana or the Louisiana Rescue Service or a Klavern in Mississippi affiliated with the Realm of Mississippi known as the Mississippi Rescue Service?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "George Harris Exhibit No. 3" appear on p. 2632.)

Mr. POOL. Mr. Appell, let me talk to you a minute.

Mr. APPELL. Mr. Chairman, I think the record should reflect that the checks drawn against the account of the United Conservatives of Mississippi, No. 1, are deposited to the official account of the United Klans of America, which is maintained under the name of the Alabama Rescue Service.

(At this point Mr. Weltner left the hearing room.)

GEORGE HARRIS EXHIBIT NO. 3

NOV 19 1965

CORPORATION—COMMERCIAL ACCOUNT OF _____ Date Opened _____

United Conservatives of Miss, Inc. #1

WASHINGTON BANK & TRUST COMPANY

IS HEREBY AUTHORIZED TO RECOGNIZE THE SIGNATURES GIVEN BELOW IN PAYMENT OF FUNDS OR THE TRANSACTION OF OTHER BUSINESS FOR THIS ACCOUNT

Genuine Signatures Here

<i>B. L. Sellers</i>	PRESIDENT
	VICE PRESIDENT
	TREASURER
	SECRETARY
	ASST. TREASURER
	ASST. SECRETARY

(See Reverse Side)

CORPORATION—COMMERCIAL ACCOUNT OF _____ Date Opened _____

United Conservatives of Miss, Inc. #1

WASHINGTON BANK & TRUST COMPANY

IS HEREBY AUTHORIZED TO RECOGNIZE THE SIGNATURES GIVEN BELOW IN PAYMENT OF FUNDS OR THE TRANSACTION OF OTHER BUSINESS FOR THIS ACCOUNT

Genuine Signatures Here

<i>Charles J. Deal</i>	PRESIDENT
<i>Pat Meach</i>	VICE PRESIDENT
<i>J. L. Summers</i>	TREASURER
<i>Carl Bennett</i> <i>B. L. Sellers</i>	SECRETARY
<i>J. P. Wheat</i>	ASST. TREASURER
<i>Carl Bennett</i>	ASST. SECRETARY

(See Reverse Side)

Mr. APPELL. Mr. Harris, I put it to you as a fact, and ask you to affirm or deny the fact, that on 11-22-1965 you were the casher of a check drawn against the Louisiana Rescue Service in the amount of \$185 payable to the Alabama Rescue Service and that this check represents the imperial tax on only 370 members, which is the bona fide membership in the State of Louisiana.

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "George Harris Exhibit No. 4" follows)

GEORGE HARRIS EXHIBIT No. 4



BERNICE, LA.

11/22

1965

No. 657A

84-148

BANK OF BERNICE

84-148

OF BERNICE, LUNON PARISH, LA.

PAY TO
ORDER OFAlabama Rescue League \$135⁰⁰one hundred eighty-five and ⁰⁰/₁₀₀ DOLLARS

MEMORANDUM

⑈9084⑈0148⑈

Louisiana Rescue League
By *[Signature]*
G. S. Kelly, Sec.

Mr. APPELL. Mr. Harris, do you have a women's auxiliary in Monroe, Louisiana, which makes payments to the imperial account from an account known as the Green Thumb Club?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Harris, much is said by Dr. Edwards, the Grand Dragon of the Realm of Louisiana, about the United Klans of America and the Louisiana Realm not endorsing violence. On September 4, 1964, a check was written to Tom Whitehead, an exalted cyclops of a Klavern in Georgia, who was collecting money from Klaverns throughout the United States, the total sum of which was to go for the defense of the United Klansmen arrested in the murder of Lieutenant Colonel Lemuel Penn. Can you explain this check to Tom Whitehead in the light of your announced nonviolent position?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "George Harris Exhibit No. 5." See report, p. 121.)

Mr. APPELL. On March 20, 1965, a check was drawn payable to "E. L. McDaniels," the Grand Dragon of Mississippi, in the amount of \$20 for a defense fund. Can you tell the committee what defense this was?

Mr. HARRIS. I respectfully decline to answer that question based upon the grounds previously stated.

(Check marked "George Harris Exhibit No. 6" appears on p. 2634.)

(At this point Mr. Buchanan left the hearing room and Mr. Weltner returned.)

Mr. APPELL. Do you know whether or not it related to the defense of any United Klansman involved in violence?

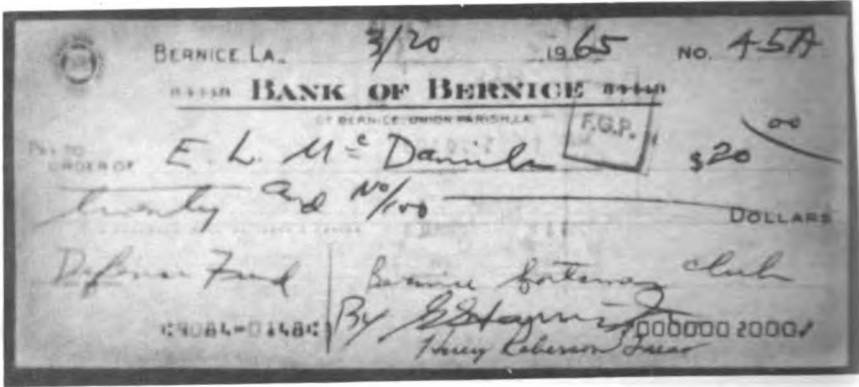
Mr. HARRIS. I respectfully decline to answer that question based on grounds previously stated.

Mr. APPELL. Could it have been funds collected by the United Klans of America to help defray expenses for those people who were arrested following the murder of the three civil rights workers?

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further question of Mr. Harris.

GEORGE HARRIS EXHIBIT No. 6



The CHAIRMAN. Questions?

Mr. POOL. Mr. Harris, were you in the audience when the previous witness testified, Mr. Gipson?

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. POOL. Mr. Gipson came before this committee to testify very bravely. One of the things he said was that he wanted to right the wrong that he had done.

You don't care to absolve your conscience in any way before this committee?

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. POOL. I want to point out one other thing in the testimony which has come to us here during the testimony. The word "conservative" is used to hide the front of the Ku Klux Klan. It is a fraud and a disgrace to the philosophy for which the word "conservative" stands. The fact that the Communists have come before this committee and used the name of labor is a disgrace and a fraud on respectful, decent, God-fearing, patriotic Americans who belong to organized labor.

Let him answer if he wants to, with your advice.

Mr. CHALMERS. There is no question.

Mr. POOL. Do you have any comments, then?

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. POOL. The way this thing is going, maybe within 6 months or a year, you may wish you had answered differently. You may wish that you had been brave enough to come before this committee and absolve your conscience. I am talking about back home, back in Louisiana. The people in the South will not put up with this kind of philosophy of hate and violence and the things that are coming out now, and they will come out faster as this thing progresses.

We are giving you a chance right now to do this.

Mr. HARRIS. I respectfully decline to answer that question based on the grounds previously stated.

Mr. POOL. That is all.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Bobby Gene Kelley.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KELLEY. I do.

**TESTIMONY OF BOBBY GENE KELLEY, ACCOMPANIED BY COUNSEL,
LESTER V. CHALMERS, JR.**

Mr. APPELL. Mr. Kelley, state your full name for the record, please.

Mr. KELLEY. Bobby Gene Kelley.

Mr. APPELL. B-o-b-b-y G-e-n-e K-e-l-l-e-y!

Mr. KELLEY. That is right.

Mr. APPELL. Mr. Kelley, are you appearing before the committee today in accordance with a subpoena served upon you on the 27th day of October 1965 at Route 1, Box 227, Bernice, Louisiana?

Mr. KELLEY. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. KELLEY. Yes, sir.

Mr. APPELL. Will counsel please identify himself?

Mr. CHALMERS. Lester V. Chalmers, Jr., 501 First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Kelley, under the conditions of the subpoena served upon you, and attachment which was made part of that subpoena, you were commanded to bring with you and to produce documents described in four parts of the subpoena.

Part 1 reads:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service and/or Bernice Sportsman Club in your possession, custody or control, or maintained by you or available to you as State Treasurer of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I request you to produce in your representative capacity stated therein the documents called for in part 1 of your subpoena.

Mr. KELLEY. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor is such inquiry within

the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Chairman, before we ask for the stipulation, and I ask for an order of direction, I desire to ask the witness whether or not he was advised of the opening statement of the Chair made in October 1965, which set forth the purposes for which these series of hearings were being held.

Mr. CHALMERS. It is stipulated, Mr. Chairman, that he has been so advised.

The CHAIRMAN. Is it stipulated that the subpoena directs him to produce documents in the capacities recited in the subpoena?

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. Mr. Witness, the reasons you have given for refusal to produce the documents called for by this part of the subpoena do not legally justify your refusal or rejection. I therefore order and direct you to produce those documents in the representative capacity stated.

Mr. KELLEY. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee based upon the grounds previously stated.

Mr. APPELL. Mr. Kelley, part 2 of the subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past State Treasurer of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I request you to produce in the representative capacity stated therein the documents called for in part 2 of the subpoena.

Mr. KELLEY. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask the witness be directed to produce those documents.

The CHAIRMAN. Because of the reasons stated and pursuant to the stipulation made I order and direct you to produce those documents.

Mr. KELLEY. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Kelley, I hand you a copy, a reproduced copy of a canceled check dated September 27, 1965, payable to G. G. Harris, Jr., in the sum of \$25. This is drawn against the Bank of Bernice, Bernice, Louisiana. The maker of the check is the Louisiana Rescue Service, and the cosigners to the account are G. G. Harris, Jr., secretary, and Bobby G. Kelley, treasurer.

I hand you this and put it to you as a fact, and ask you to affirm or deny the fact, that you are the Bobby G. Kelley shown on this canceled check as treasurer of the Louisiana Rescue Service.

Mr. KELLEY. I respectfully decline to answer that question for the

reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

(Document marked "Bobby Kelley Exhibit No. 1" follows:)

BOBBY KELLEY EXHIBIT NO. 1



Mr. APPELL. Mr. Kelley, when and where were you born?

Mr. KELLEY. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Kelley.

Bobby Gene Kelley was born on October 3, 1932, at Bernice, Louisiana. He has a high school education. He served in the United States Navy from December 1951 to December 1955 and received an honorable discharge.

He resides at Route 2, Bernice, Louisiana, and is employed by the Lion Oil Company, El Dorado, Arkansas, where he is a foreman in the print shop.

Bobby Gene Kelley became a Klan official in 1965 when he replaced Mr. Roberson on the signature card in the account of the Klavern maintained at the Bank of Bernice. This Klavern uses the cover name of the Bernice Sportsman Club.

At the time, the Bernice Sportsman Club was affiliated with the Realm of Louisiana of the United Klans of America, Inc., which realm is known by the cover name of the Louisiana Rescue Service.

In March 1965 Kelley was elected realm klabee, or treasurer.

As klabee, Kelley is responsible for payment of bills and other obligations. Many Klaverns in Louisiana make payments to the realm, of both realm and imperial per capita tax. Thus Kelley paid the United Klans of America through its cover name, the Alabama Rescue Service, \$185 in November, which under present requirements

of 50 cents per member means the realm's per capita tax was upon 370 members.

At the time of the committee's announcements of the Klan probe, the Klan was paying imperial tax on 872 members.

In addition to payments of its officials, the klavern or realm, both of whom process their funds through the Bernice Sportsman Club, made a payment on September 4, 1964, to Tom Whitehead, a United Klans of America exalted cyclops in Georgia. At the time Tom Whitehead was handling defense funds for the Klansmen involved in the murder of Lieutenant Colonel Lemuel Penn. On March 20, 1965, a check in the amount of \$20 was paid to the Grand Dragon for Mississippi of the United Klans of America, E. L. McDaniel. This check drawn against the Bernice Sportsman Club shows the purpose for which drawn as "Defense Fund." (George Harris Exhibits Nos. 5 and 6.)

On June 12, 1965, Kelley was one of the participants in a caravan of the United Klans of America through the streets of Natchez, Mississippi.

This information, Mr. Chairman, indicates that Mr. Kelley possesses additional information which is both pertinent and relevant to this inquiry, and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Kelley, you have heard the statement of Mr. Appell, our chief investigator, who is under oath just as you are.

You now have the opportunity to reply to any portion of that statement, to confirm or challenge the accuracy of any information, or to explain any part of it.

In addition you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. KELLEY. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. In view of which, Mr. Kelley, I must inform you that absent your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

In light of that do you have anything to say?

Mr. KELLEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Kelley, are you willing and prepared to give to the committee knowledge which you possess as an officer and the grand klabee of the Realm of Louisiana as it relates to the operations of the Ku Klux Klan, United Klans of America, within the State of Louisiana?

Mr. KELLEY. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Questions?

Mr. WELTNER. I have no questions, Mr. Chairman.

The CHAIRMAN. The witness is excused. Call your next witness.

Mr. APPELL. James Malcolm Edwards.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EDWARDS. I do.

**TESTIMONY OF JAMES MALCOLM EDWARDS, ACCOMPANIED BY
COUNSEL, LESTER V. CHALMERS, JR.**

The CHAIRMAN. Sir, I represent to you as facts the following: During the Christmas recess you phoned me at my home in St. Martinville, Louisiana. You were in a rather belligerent mood. The following conversation ensued:

You said: "What the hell is your staff doing summoning me to appear on a certain date and then postponing the date of appearance?"

I said: "Doctor," because you represented yourself as a doctor, "I don't attend to these details, but I think you will find out that the staff knows what it is doing."

"Furthermore," I said, "you will have an opportunity to say all you want to say when you do appear."

Then I added "By the way, do you intend to testify and speak on the witness stand?"

I ask you to affirm or deny these facts.

Mr. CHALMERS. May I approach the bench?

The CHAIRMAN. Yes.

Before you respond to my question as to whether you would appear to testify, you did not respond, and that ended the conversation.

Mr. EDWARDS. I respectfully decline to answer that question for the reason that I honestly feel that my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Edwards, we called you to the stand under your name. Would you now place your name in the record, please?

Mr. EDWARDS. James Malcolm Edwards.

Mr. APPELL. M-a-l-c-o-l-m, and there is an "s" on the name E-d-w-a-r-d-s?

Mr. EDWARDS. Yes.

Mr. APPELL. Are you popularly known as doctor?

Mr. CHALMERS. It is stipulated that he is called doctor.

The CHAIRMAN. Did you ask him his name and date of birth?

Mr. APPELL. We have his name at this stage, sir.

Mr. Edwards, are you appearing before the committee today in accordance with a subpoena served upon you on the 27th day of October 1965 at 426 Sixth Street, Jonesboro, Louisiana?

Mr. EDWARDS. Yes.

Mr. APPELL. Are you represented by counsel?

Mr. EDWARDS. Yes, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Edwards, under the conditions of the subpoena and attachment thereto which is made part of the subpoena, you were com-

manded to bring with you and produce documents outlined in paragraph 1 as follows:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire. United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, Louisiana Rescue Service or any other Ku Klux organization in your possession, custody or control, or maintained by you or available to you as Grand Dragon of the Invisible Empire. United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

I request you in the representative capacity set forth in paragraph 1 to produce the documents called for.

Mr. CHALMERS. The same stipulation, Mr. Chairman, that we have heretofore entered into with respect to other witnesses—the contents of the chairman's opening statement have been made available to him.

Mr. APPELL. I ask that the witness be directed to answer the question, Mr. Chairman.

The CHAIRMAN. He has not responded.

Mr. EDWARDS. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 14, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed—

Mr. CHALMERS. There is one other one.

Mr. EDWARDS. I respectfully decline to deliver to the committee any and all records as requested by this committee in the subpoena dated October 14, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in its consideration of any valid remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, House Resolution 8, adopted January 4, 1965.

Mr. APPELL. Mr. Chairman, I ask the witness be directed to produce those documents called for in paragraph 1.

The CHAIRMAN. Sir, the reasons you have given for refusal to produce the documents called for by this part of the subpoena do not legally justify your refusal and they are rejected. I therefore order and direct you to produce those documents, in your capacity stated in the subpoena.

Mr. EDWARDS. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon grounds previously stated.

Mr. APPELL. Mr. Edwards, paragraph 2 of the subpoena calls for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past Grand Dragon and/or member of the United Klans of America, Inc., Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. EDWARDS. Sir, I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask the witness be directed to produce those documents called for in paragraph 2.

The CHAIRMAN. For the reasons stated, and the stipulations made, you are ordered and directed to produce those documents.

Mr. EDWARDS. Sir, I respectfully decline to deliver to the committee the documents commanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Edwards, I put it to you as a fact, and ask you to affirm or deny the fact, that you are currently the Grand Dragon for the Realm of Louisiana, which operates under cover name of the Louisiana Rescue Service.

Mr. EDWARDS. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in the violation of my rights as guaranteed by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Edwards, Section 6 [Article XVI] of the "Constitution and Laws" of the United Klans of America, Inc., Knights of the Ku Klux Klan, adopted in Imperial Klouncilium at Birmingham, Alabama, in September 1964 (Robert Shelton Exhibit No. 3¹) provides that each realm shall have officers.

I read you the officers of the realm as set forth in the constitution and at the conclusion I shall ask you to identify the holder of each office as set forth in the constitution:

The officers of A Realm shall be a Grand Dragon, who shall be President of the Klorero; he shall be elected by the Realm for a term of three years, and shall govern his Realm in a manner not inconsistent with this Constitution, or the instructions and directions of his Imperial Klaliff; Grand Klaliff, second highest officer of a Realm, who shall be vice-president of the Klorero; Grand Klokard, lecturer; Grand Kludd, chaplain; Grand Kligrapp, secretary; Grand Klabee, treasurer; Grand Kladd, conductor; Grand Klarogo, inner guard; Grand Klester, outer guard; and a Grand Night-Hawk. These shall be known as the Grand Dragon and his nine Hydras. They are to be elected by proper delegation of their respective Realm.

Please name the people holding the offices provided for by the constitution.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Edwards.

James Malcolm Edwards was born on July 20, 1918, at Marion, Louisiana. His education includes Louisiana State University and Kilgore Junior College, Kilgore, Texas, and graduation from the Palmer College of Chiropractic on August 26, 1951.

He served in the enlisted ranks of the United States Army Air Force from 1942 to 1946, on active duty, and from March 3, 1949, to October 1, 1952, in the Reserves.

He is self-employed as a chiropractor at 424 West Sixth Street, Jonesboro, Louisiana.

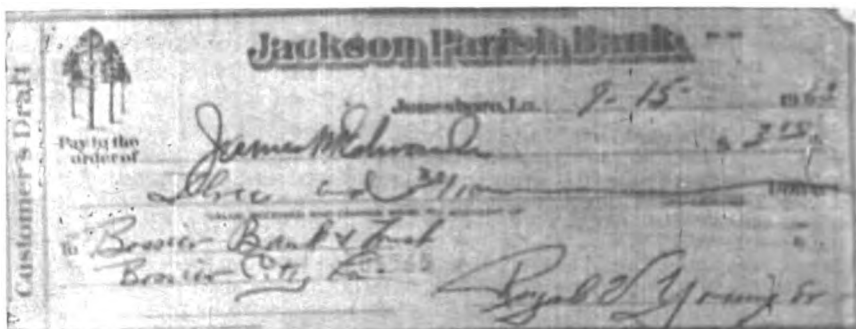
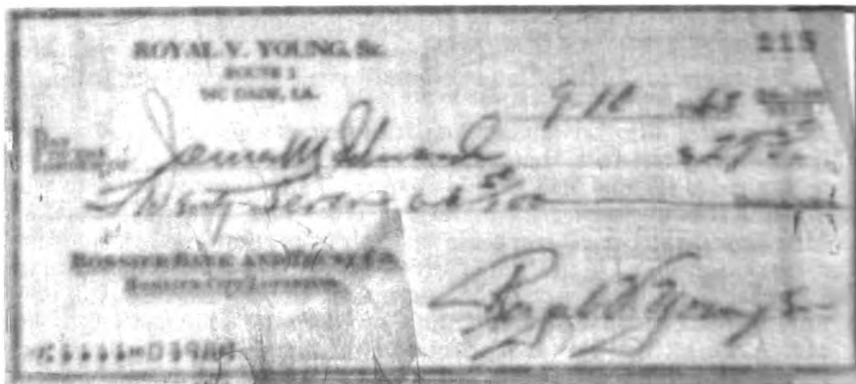
In September 1963, Mr. Edwards received funds from Royal V.

¹ See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 181-252.

Young, Imperial Dragon of the Original Knights of the Ku Klux Klan.

(Checks marked "James Edwards Exhibit No. 1" follow:)

JAMES EDWARDS EXHIBIT NO. 1



Mr. APPELL. In 1964 he became a member and Grand Dragon of the United Klans of America, Realm of Louisiana, which operates under the cover name of the Louisiana Rescue Service.

On February 4, 1964, he attended a klonvokation of the Alabama Rescue Service at Dinkler-Tutwiler Hotel in Birmingham, Alabama.

In addition to electing the Imperial Klaliff, Robert Thompson, of Georgia, there was elected the Imperial Kligrapp, W. O. Perkins of Tuscaloosa, Alabama, and the Imperial Klabee, Fredrick Smith, of Tuscaloosa, Alabama.

In addition to electing these three officers, the klonvokation pushed the sale of insurance under the name of the Heritage Insurance Agency, Inc. by Robert M. Shelton, the Imperial Wizard, and others.

On September 5 and 6, 1964, Mr. Edwards again attended a klonvokation at the Dinkler-Tutwiler Hotel where there was elected the Imperial Wizard, Robert M. Shelton, Robert Collins as the Imperial Klokard, Rev. George Dorsett as Imperial Kludd, the Reverend Robert Hudgins as the Imperial Kladd, Walter Brown as the Imperia

Klarogo, Robert Korman as the Imperial Klexter, and Amos Pedigo as the Imperial Night-Hawk.

(Hotel registration marked "James Edwards Exhibit No. 2" follows:)

JAMES EDWARDS EXHIBIT No. 2

653 EDWARDS DR J M & WF 9-88
JONESBORO LA 65606 1

H 65606

9-4 RS

PLEASE CHECK YOUR BAGGAGE OR SEND SAME TO YOUR ROOM; OTHERWISE THE HOTEL COMPANY WILL NOT BE RESPONSIBLE FOR LOSS

Dinkler-Tutwiler

DIRECTION
DINKLER HOTEL CORPORATION
"DISPENSERS OF TRUE SOUTHERN HOSPITALITY"

GUESTS ARE HEREBY NOTIFIED THAT THE COMPANY WILL NOT BE RESPONSIBLE FOR VALUABLES, MONEY, JEWELRY, CLOTHING ETC. UNLESS THE SAME ARE DEPOSITED IN SAFE

Name	J M Edwards & Mrs.		
Street	654	City	Jonesboro La.
Firm		City	
Room No.	653	Rate	9.88
		Clerk	XMTWTFSS

Mr. APPELL. On December 20, 1964, Mr. Edwards applied for Post Office Box, Drawer K, Hodge, Louisiana. In the application Mr. Edwards designated the United Klans of America, Inc., to be a fraternal organization.

(Document marked "James Edwards Exhibit No. 3" appears on p. 2644.)

Mr. APPELL. On April 17, 1965, Mr. Edwards attended a meeting of imperial officers and other officials of the United Klans of America and spoke at a rally held in Tuscaloosa, Alabama.

On May 24, 1965, along with the Grand Klaliff of the Realm of Louisiana, he spoke at a rally at Tioga, Louisiana. The Grand Klaliff at that time, Jack Helm, of New Orleans, was introduced not as a Klansman but as an official of the Citizens Council of Greater New Orleans.

(Document previously marked "Jack Helm Exhibit No. 2." See p. 2591.)

Mr. APPELL. On June 5, 1965, Mr. Edwards spoke at a United Klans of America rally and street walk at Atlanta, Georgia.

On July 21, 1965, he spoke at a United Klans of America rally at Crossroads, Mississippi.

On August 21 and 22, he attended the meeting of the Realm of North Carolina, where there was also held a meeting of imperial and other officers of the United Klans of America, and during these days spoke at a United Klans rally at Landis, North Carolina.

JAMES EDWARDS EXHIBIT No. 3

FOR POST OFFICE USE ONLY	POSTMASTER	DATE BOX OPENED	DATE BOX CLOSED	BOX NO. K
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APPLICANT PLEASE NOTE: Completion of this application signifies your willingness to comply with all postal rules relative to the renting and use of Post Office boxes

NAME OF APPLICANT (Print or type)

J. M. EDWARDS

NAME OF FIRM OR CORPORATION (If box is rented for use of either)

UNITED KLANS OF AMERICA, INC.

KIND OF BUSINESS

FRATERNAL ORGANIZATION

BUSINESS ADDRESS (No., street, and zone)

424 6th St.

HOME ADDRESS (No., street, and zone)

TONEBORO, LA.

SIGNATURE OF APPLICANT

X J. M. Edwards

DATE OF APPLICATION

12/26/64

For Post Office Use Only ENTERED IN DIRECTORY	INITIALS OF CLERK	INITIALS OF CARRIER	BOX NO. K
--	-------------------	---------------------	--------------

THE FOLLOWING MUST BE COMPLETED AND SIGNED BEFORE P.O. BOX IS ASSIGNED

DELIVER MAIL IN ACCORDANCE WITH INSTRUCTIONS CHECKED BELOW

☐ ALL EXCEPT SPECIAL
DELIVERY IN BOX☒ ALL INCLUDING SPECIAL
DELIVERY IN BOX☐ ONLY MAIL ADDRESSED TO BOX IS TO BE PLACED IN IT
ALL OTHER MAIL TO BE DELIVERED AS ADDRESSED☐ OTHER INSTRUCTIONS
(Explain)

SPECIAL DELIVERY MAIL ONLY (Deliver as checked below)

☐ DELIVER TO LOCAL RESIDENCE AT☐ DELIVER TO LOCAL BUSINESS ADDRESS AT

(No., street, and zone)

(No., street, and zone)

NAMES OF PERSONS ENTITLED TO RECEIVE MAIL THROUGH BOX (If box is rented to a firm, include the full name of each of the members whose mail is to be placed in box.)

APPLICANT

☒ HAVE READ ITEMS 1 THROUGH 8, ABOVE AND
WILL COMPLY WITH THEM.X J. M. Edwards
(Signature of applicant)POD FORM
JULY 1960 1093

APPLICATION FOR POST OFFICE BOX

U.S. GOVERNMENT PRINTING OFFICE 16-57489-7

Drawer "K", Hodge, Louisiana

(Document marked "James Edwards Exhibit No. 4" appears on p. 2645.)

Mr. APPELL. On August 23, 1965, he attended the funeral of the late Imperial Klonsel, Matt Murphy.

September 15, 16, and 17, Mr. Edwards attended meetings and rallies in Crockett and Houston, Texas, along with Imperial Wizard Shelton and Theodore Crane, of Virginia, Younger Newton, the Grand Klaliff of South Carolina.

JAMES EDWARDS EXHIBIT No. 4

[BOISE, IDAHO, *Stateman*, AUG. 23, 1965]

Dragon Hails Klan Power In Elections

LANDIS, N.C. (UPI) — South Carolina Grand Dragon Bob Scoggin told one of the largest Ku Klux Klan rallies in recent years Saturday night the Klan "can elect the next president of the United States."

Scoggin, one of 11 state grand dragons addressing a crowd estimated by sheriff's deputies at 3,500 to 4,000 said "President Johnson is afraid of the Klan" and that the Klan could play a big role in the 1968 election "if we will."

In addition to Scoggin and Imperial Wizard Robert Shelton of Alabama, others addressing the rally included Grand Dragons E. L. McDaniel of Mississippi, Bob Jones of North Carolina, Calvin Craig of Georgia, Don Cothran of Florida, Roy Frankhouser of Pennsylvania, Ralph Pryor of Delaware, Flynn Harvey of Ohio, George Otto of Texas, Dr. J. M. Edwards of Louisiana and Raymond Anderson of Tennessee.

Anderson said the reason he is a Klansman was to prevent the Communists from taking over the country. He charged that if that happened, all the churches would be burned and that United Nations troops would be patrolling the streets.

While in Texas, Mr. Edwards met and conferred with William H. Drennan and George A. Otto, Texas Klan coleaders.

Mr. Edwards, during the period of May, 1964, to 10-12-65, received \$1,517.64 in checks drawn against the account of the Bernice Sportsman Club and/or Louisiana Rescue Service.

(Documents marked "James Edwards Exhibit No. 5." A listing of checks and one check from each account appears on pp. 2646, 2647.)

Mr. APPELL. February 19, 1965, Mr. Edwards requested the Louisiana State Joint Legislative Committee on Un-American Activities to investigate the Klan and make findings public. He answered questions propounded by the committee counsel on April 23, 1965.

On February 18 and March 29 of 1965, Mr. Edwards addressed letters to Chairman Willis of the Committee on Un-American Activities urging an investigation of the United Klans of America and requesting the report of its findings to be made public.

Mr. Edwards was in contact with Imperial Wizard Shelton during the committee's hearings in November of 1965.

This information, Mr. Chairman, indicates that Mr. Edwards possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Sir, you have heard the sworn statement of the committee's investigator.

You now have the opportunity to reply to any portion of that statement, to confirm or challenge the accuracy of the information, or to explain any part of that statement.

JAMES EDWARDS EXHIBIT No. 5

Bank of Bernice, Bernice, La.
Bernice Sportsman Club and Louisiana Rescue Service Accounts
J. M. Edwards Checks

Date of Check	Payee	Amount	Endorsers	Remarks
5/3/64	J. M. Edwards	\$27.55	Credit account of J. M. Edwards	
6/4/64	" " "	19.52	" " " " "	
7/1/64	" " "	43.00	J. M. Edwards	
7/16/64	" " "	115.75	" " "	
8/21/64	" " "	50.69	" " "	
8/21/64	" " "	67.44	J. M. Edwards; Dub Horton's Dixie Dandy #1, G. W. Horton, Jonesboro, La.	
9/18/64	" " "	63.83	J. M. Edwards	Travel
11/11/64	" " "	63.96	J. M. Edwards; Skolly Service, Jonesboro, La.	
12/2/64	" " "	37.07	J. M. Edwards	Part pay
12/6/64	" " "	23.00	" " "	P P
12/14/64	" " "	8.73	" " "	Bel.
12/22/64	" " "	38.91	J. M. Edwards; Illegible	Travel
1/20/65	" " "	41.49	Illegible; Tuloma, Inc., General Gas Corporation, General Gas Division.	
2/22/65	" " "	62.23	Dr. James M. Edwards, Jonesboro Chiropractic Clinic	Travel
3/12/65	" " "	109.67	J. M. Edwards	
4/19/65	" " "	47.00	" " "	
5/1/65	" " "	86.30	J. M. Edwards; Tuloma, Inc., General Gas Corporation, General Gas Division	Travel
5/18/65	" " "	50.00	J. M. Edwards	
6/10/65	" " "	75.00	" " "	
7/3/65	" " "	50.00	" " "	
7/8/65	" " "	55.00	" " "	Travel
7/26/65	" " "	70.00	" " "	
8/13/65	" " "	91.50	" " "	
8/27/65	" " "	70.00	" " "	
9/27/65	" " "	75.00	" " "	
10/12/65	" " "	75.00	Dr. James M. Edwards, Jonesboro Chiropractic Clinic	
Total		\$1,517.64		

In addition you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. I will say to you, therefore, in the absence of rebuttal on your part, or other facts which may come to the attention of the committee, that the committee will rely upon the accuracy of its investigation.

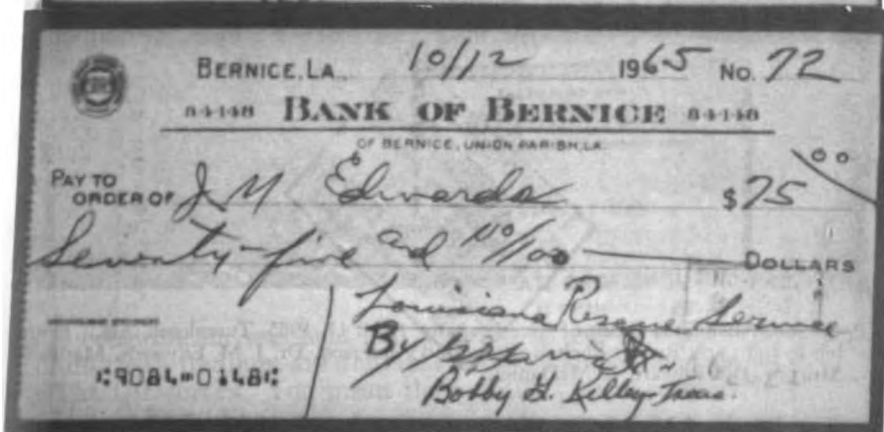
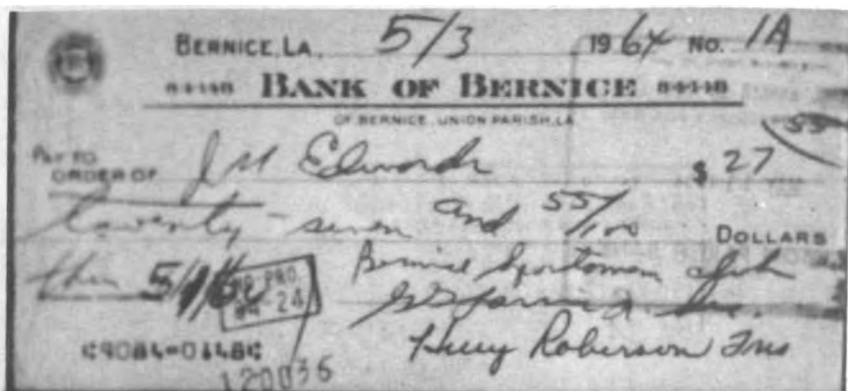
Bearing this in mind have you anything to say?

Mr. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. Is it possible to get in the record at this point the letter written to you by Mr. Edwards?

Mr. APPELL. Mr. Edwards, I have several photographs in front of me which picture you at a rally of the United Klans of America held April 17, 1965. I ask you whether or not this rally was a rally of convenience, and that the main reason for you and other Klan officials assembling in Tuscaloosa, Alabama, around April 17, 1965, was because I had just a few days prior thereto interviewed Imperial Wizard Shelton, and that the real purpose for your being there was to discuss strategy that you should follow in the event of being subpoenaed before the committee.

JAMES EDWARDS EXHIBIT No. 5—Continued



Mr. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

(Photographs marked "James Edwards Exhibit No. 6." Two of said photographs appear on pp. 2648, 2649; balance retained in committee files.)

Mr. APPELL. Mr. Edwards, I will hand to you two letters addressed to Honorable Edwin E. Willis, Chairman, HUAC, Washington, D.C., the first dated February 18, 1965, return address 426 Sixth Street, Jonesboro, Louisiana, signed J. M. Edwards, Grand Dragon, United Klans of America, Inc.

Mr. Chairman, I ask that these and all other documents referred to be made part of this record, and for that reason I shall only read the portions relative to an inquiry by this committee.

The letter of February 18 reads:

Mr. Willis, I will welcome an investigation of the United Klans of America, Inc. in Louisiana and will cooperate in any way possible. If I may make one request it would be this: Please name the specific Klan organization, United Klans of America, Inc. along with the others. I would also like included in the reports your findings relative to the NAACP, CORE, COFO, and SCEF.

Thanks for the fine service you are performing, Mr. Willis, and if I can be of any assistance please call upon me.

JAMES EDWARDS EXHIBIT NO. 6



Photo taken at United Klans of America rally, April 17, 1965, Tuscaloosa, Ala. From left to right are: Robert Shelton, Raymond Anderson, Dr. J. M. Edwards, Matthew Murphy, and Edward L. McDaniel.

The letter of March 29, 1965:

Since the president's recent indictment of men said to be members of this organization, and that without due process of law, I urge you, Mr. Willis, to investigate United Klans and make your findings public as soon as possible.

It would seem, that by virtue of the February resolution to investigate the Klan, that another decision to do so would not be necessary.

Thanks for your kind consideration, and may God bless you in every honorable endeavor.

Please insert this letter in the Congressional Record.

Signed "J. M. Edwards—Grand Dragon."

I hand you these two letters, Mr. Edwards, and ask you if you in fact mailed these or signed those letters.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "James Edwards Exhibit No. 7" appear on pp. 2650, 2651.)

Mr. APPELL. A Joint Legislative Committee on Un-American Activities of the State of Louisiana, according to an official report, conducted a staff interview with J. M. Edwards commencing at 11:45 p.m. on April 23, 1965. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the J. M. Edwards with whom

JAMES EDWARDS EXHIBIT No. 6—Continued



Photo taken at United Klans of America rally, April 17, 1965, Tuscaloosa, Ala. From left to right are: Raymond Anderson, Robert Shelton, Robert Scoggin, Robert Creel, Don Cothran, J. M. Edwards, and Calvin Craig.

this consultation was held and that the Q and A reproduced in the committee's findings are the answers or your statements.

The CHAIRMAN. You mean the questions and answers?

Mr. APPELL. Yes, sir.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. In response to a question you were asked, "Do you do any screening of people to keep out undesirable elements or people who might have criminal records, or anything like that?" the answer is: "The very best that is possible to do."

Isn't it a fact, Dr. Edwards, as Grand Dragon, that while you provide for certain regulations in order to guarantee that undesirables not get in your organization, in fact you do no screening and that you take in anyone?

Mr. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. The next question: "What do you do after you have gotten members in if you find out that they are involved in violations of law?" The record reflects no answer.

Then the question: "How do you take care of that, how do you handle that within your organization?"

"Any member or any person, for that matter, whose unlawful acts come to the attention of our people are reported to the proper authori-

JAMES EDWARDS EXHIBIT No. 7

FEB 24 1965

Hon. Edwin E. Willis
Chairman, HUAAC
Washington, D.C.

426 Sixth Street
Jonesboro, Louisiana
February 18, 1965

Dear Congressman Willis;

Under dateline Washington and AP wire, Shreveport Times Saturday, February 13, 1965 was an article which stated that the Committee last week adopted unanimously a resolution authorizing chairman Edwin E. Willis, D-La. to "continue preliminary inquiries" into matters that had been brought to the attention of the committee.

The four organizations are specifically included, although they are not named in the resolution." (This last statement puzzles me.)

Now, the four organizations named in the AP article are "The Ku Klux Klan, the Minutemen, George Lincoln Rockwell's American Nazi Party, and the Black Muslims."

Mr. Willis, I am one of the "Southern whites" having "such titles as Grand Dragon" and the order which I represent is the United Klans of America, Inc., Knights of the Ku Klux Klan. I have great admiration for your committee, and I thank you for your untiring efforts to keep America safe. I regret that your burden is being increased by now having to investigate the Ku Klux Klan.

Mr. Willis, I will welcome an investigation of the United Klans of America, Inc. in Louisiana and will cooperate in any way possible. If I may make one request it would be this: Please name the specific Klan organization, United Klans of America, Inc. along with the others. I would also like included in the report your findings relative to the NAACP, CORE, COFO, and SCLC.

Thanks for the fine service you are performing, Mr. Willis, and if I can be of any assistance please call upon me.

Yours for God and Country,

J. M. Edwards

J. M. Edwards - Grand Dragon,
United Klans of America, Inc.

JME/vh

ties. Our organization does not harbor those who commit unlawful acts."

Dr. Edwards, I give you an opportunity at this time to name one member of the United Klans of America that you have ever turned over to lawful authority because of their violation of the law.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Documents marked "James Edwards Exhibit No. 8." See pp. 2663-2663.)

The CHAIRMAN. Dr. Edwards, do the various Klaverns over which you preside in your Realm of Louisiana have wrecking crews that perform the functions described this morning by Mr. Edwards?

JAMES EDWARDS EXHIBIT No. 7—Continued

Hon. Edwin E. Willis
Chairman, HUAC
Washington, D.C.

426 Sixth Street
Jonesboro, Louisiana
March 29, 1965

Dear Sir;

On February 18, 1965 I wrote you concerning a resolution passed unanimously by your committee to investigate the Klan. I invited an investigation of United Klans of America, Inc. and shortly thereafter received an affirmative reply.

Meanwhile, President Johnson has publicly assailed the Klan and made serious charges against men said to be affiliates, and that before any trial and conviction.

Now, Mr. Willis, that should frighten you and every member of Congress who has taken an oath to uphold the Constitution of the United States of America.

Under UPI dateline Sunday, March 28, 1965 I note that "Rep. Edwin E. Willis, D-La., has promised that his House Committee on Un-American Activities will meet early next week to decide whether to begin a full scale investigation of the Klan."

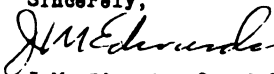
Since the president's recent indictment of men said to be members of this organization, and that without due process of law, I urge you, Mr. Willis, to investigate United Klans and make your findings public as soon as possible.

It would seem, that by virtue of the February resolution to investigate the Klan, that another decision to do so would not be necessary.

Thanks for your kind consideration, and may God bless you in every honorable endeavor.

Please insert this letter in the Congressional Record.

Sincerely,



J.M. Edwards--Grand Dragon
United Klans of America, Inc.
Realm of Louisiana

JME:vh

(continued)

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Edwards, it is already in the record that the Realm of Louisiana helped finance the defense of Klansmen involved in the murder of Dr. Penn in Georgia. Can you reconcile this testimony with the financial contribution that you made toward their defense?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. As a matter of fact, Dr. Edwards, under the oath which members of your organization take, it would be a violation

of your oath to turn them over to authorities except if they had committed the crimes of treason, rape, or murder. Isn't that factual?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. In the record [of the Joint Legislative Committee on Un-American Activities] you were asked, "Have you ever had occasion, as yet, to turn over any law violators to the local police authorities in any area? Do you know of any specific incident where this has been done?"

Answer: "I cannot speak for any area outside of Louisiana, but I am very happy to report that it has not come to my attention."

I give you an opportunity as Grand Dragon of the Realm of Louisiana to state that no Klansman to your knowledge has engaged in the violation of law.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. It was brought out by the chairman, Mr. Edwards, on last Friday, I believe, that members of the United Klans of America in the Baton Rouge, Louisiana, area, are placing applications for membership in the United Klans of America and other United Klan literature in post office boxes in that city. I ask you as the Grand Dragon if you are going to make an investigation of this violation of law and report those Klansmen to the postal authorities.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Edwards, in the Baton Rouge, Louisiana, *Advocate*, an article which appeared May 25, 1965, relates to an incident that happened at a United Klans of America rally held at Tioga, Louisiana. I shall read this short clipping into the record before asking you a question:

The invocation was brief and jolting at the Ku Klux Klan rally here over the weekend.

Dr. J. M. Edwards of Jonesboro, a chiropractor who heads the Klan in Louisiana, called for a minister from the audience to step forth and lead the invocation.

An unidentified man stepped to the microphone and, as the Klansmen and spectators bowed their heads, he said:

"I don't see how you, in the name of Jesus Christ, can conduct hatred for a man."

Did that happen, sir?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document marked "James Edwards Exhibit No. 9" and retained in committee files. See also Jack Helm Exhibit No. 2, p. 2591.)

The CHAIRMAN. Sir, in your sworn testimony before the Louisiana body referred to by Mr. Appell a while ago, did you tell the truth, the whole truth, and nothing but the truth because it appears that you did speak on that occasion.

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. APPELL. Mr. Edwards, during the recitation of the results of the committee's investigation it was set forth as a matter of fact that you attended the klonvokation held in February 1964 at the Dinkle-Tutwiler Hotel in Birmingham, and that discussed at the klonvokation was the creation of an insurance program.

I hand you a letter addressed to Mr. Robert Shelton from David F. Stinson, return address Jonesboro, Louisiana, addressed, "Dear Bob," in which Mr. Stinson asks if he might head up the insurance program in Louisiana. This letter was sent to the insurance company which was going to handle the life and health and accident part of the program, and there is contained in handwriting at the bottom of this letter the following language: "Write this man a [sic] make Arrangements for meeting with Dr. Edwards to set up Insurance Program for La. Bob."

I hand you this and ask you if you conferred with this man and whether or not there was set up within Louisiana an insurance program.

MR. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

(Document previously marked "Robert Shelton Exhibit No. 14." See p. 1649.)

MR. APPELL. At the State rally held in North Carolina and the meeting of imperial and other officers, together with the meeting which elected officers for the State of North Carolina, I put it to you as a fact, and ask you to affirm or deny the fact, that there was present at that meeting Dan Burros of New York and Roy Frankhouser of Pennsylvania.

MR. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Do you possess knowledge of their and other United Klans of America members' and leaders' affiliation with the American Nazi Party?

MR. EDWARDS. I respectfully decline to answer that question based upon the grounds previously stated.

MR. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

THE CHAIRMAN. Sir, in the format of your oath of allegiance, I find the following, which oath is taken by all members, including yourself, I assume: "I swear that I will keep secure to myself a secret of a [Klan]*sman when same is committed to me in the sacred bond of [Klan]*smanship—the crime of violating THIS solemn oath"—that is all in caps—"treason against the United States of America—rape—and malicious murder—alone excepted."

Since you use in that oath the words "malicious murder," is there any kind of murder to which this oath does not apply?

MR. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

MR. POOL. I want to read to the witness title 18, United States Code, section 1505, which provides as follows:

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness in any proceeding pending before any department or agency of the United States, or

in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress; or

Whoever injures any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry, or investigation, or on account of his testifying or having testified to any matter pending therein; or

* * * * *

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department or agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

Shall be find not more than \$5,000 or imprisoned not more than five years, or both.

The reason I read that to you is because of two things. If you are up here testifying before this committee in fear of your life or in fear of bodily injury or any fear that you might have, you may be assured that this law applies to you and you will be protected if you care to answer any questions or add anything to this inquiry or give any information to this committee that you can. If that is not the case, then I read it to you for the second purpose: In your job, if you go back to Louisiana as the Grand Dragon of the United Klans of America, Realm of Louisiana, you can take that message back to your membership and tell them that is what the law is and that this committee intends to see that the witnesses appearing before this committee will not be harmed and that we will enforce this law.

Have you any further statement to make?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. WELTNER. Mr. Chairman, I do not have any questions, but in view of this witness' eagerness to see the investigation by this committee of this organization, the United Klans of America, I am somewhat baffled at his reluctance at the present time.

Mr. SENNER. Mr. Edwards, do you really believe you have cooperated with this committee pursuant to the letters you sent to the chairman?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. Did you intend to mislead the chairman when you wrote those letters?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. Did you do it for just public consumption and public opinion?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

Mr. SENNER. I have no further questions.

The CHAIRMAN. Sir, since you mentioned in those letters other organizations, do you care to say anything about them?

Mr. EDWARDS. Sir, I respectfully decline to answer that question based upon the grounds previously stated.

The CHAIRMAN. The witness is excused.

Mr. Appell, call your next witness.

Mr. APPELL. Mr. Douglas Byrd.

Mr. BLACKWELL. Mr. Chairman, I am Charles Blackwell, attorney for Mr. Byrd, from Laurel, Mississippi. Mr. Chairman, I have a letter from Mr. Byrd's doctor that he is in the hospital and he will be there for about a week or 10 days. Would you like me to read the letter, Mr. Chairman?

Mr. APPELL. Mr. Chairman, I suggest that the committee consider the contents of this letter and that we advise Mr. Blackwell tomorrow morning as to the disposition of the committee with respect to it.

The CHAIRMAN. All right.

The committee will stand in recess until 10 o'clock tomorrow morning.

(Members present at time of recess: Representatives Willis, Pool, Weltner, and Ashbrook, of the subcommittee, and also Representative Senner.)

(Whereupon, at 4:25 p.m., Tuesday, January 11, 1966, the subcommittee recessed, to reconvene at 10 a.m., Wednesday, January 12, 1966.)

[James Edwards Exhibit No. 8, introduced on p. 2650, follows:]

JAMES EDWARDS EXHIBIT NO. 8

[Excerpt from June 16, 1965, hearings before The Joint Legislative Committee on Un-American Activities of Louisiana held in Baton Rouge, La. Hon. Jesse M. Knowles, chairman; Jack N. Rogers, Committee counsel. Report No. 7, July 26, 1965.]

* * * * *

TRANSCRIPT OF A STAFF CONSULTATION HELD ON APRIL 23, 1965, AT 11:42 P.M., AT BATON ROUGE, LOUISIANA. JACK N. ROGERS, ESQ., COMMITTEE COUNSEL FOR THE JOINT LEGISLATIVE COMMITTEE ON UN-AMERICAN ACTIVITIES, STATE OF LOUISIANA, PRESIDING.

BY MR. ROGERS:

Pursuant to the power granted me under Senate Concurrent Resolution #12, Regular Session of the Louisiana Legislature of 1964, and the rules of this Committee under the Law, I now swear the first witness.

THE WITNESS, MR. J. M. EDWARDS, AFTER FIRST HAVING BEEN DULY SWORN TO TELL THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP HIM GOD, TESTIFIED AS FOLLOWS:

DIRECT EXAMINATION

BY MR. ROGERS:

Q—What is your name, sir?

JAMES EDWARDS EXHIBIT NO. 8—Continued

A—J. M. Edwards.

Q—Where do you live, Mr. Edwards?

A—Jonesboro, Louisiana.

Q—When and where were you born?

A—July 20, 1918, in Union Parish, Louisiana.

Q—What do you do for a living?

A—I practice Chiropractic.

Q—Mr. Edwards, what is the name of the Klan Organization you represent?

A—It's the United Klans of America, Inc.

Q—What is the title of your Klan office, and what level of leadership does that title mean?

A—The office that I have in the United Klans is that of Grand Dragon of the realm of Louisiana, and it designates the highest office in the State in which that Klan operates.

Q—Is your Klan Organization connected with any other Klan Organizations, and if so, which one and how is it connected?

A—It is not connected with any other Klan Organization.

Q—Who is the national head of your Klan Organization?

A—Robert M. Shelton, Jr.

Q—Where does he live?

A—Tuscaloosa, Alabama.

Q—As I understand your testimony, you are the head of the organization in the State of Louisiana?

A—Yes, sir.

Q—How and by whom are the objectives of your organization determined?

A—By the membership itself.

JAMES EDWARDS EXHIBIT No. 8—Continued

Senator
Lake Charles, Louisiana
Jonasboro, Louisiana
February 19, 1965

Dear Sir;

Since reading an article in the Shreveport Times last Saturday, February 13, under catelings Washington and AP, I have been somewhat perplexed. It concerned an investigation of the Ku Klux Klan, a general term, along with three other organizations.

Now, Mr. Knowles, I have invited Mr. Edwin J. Willis, whom I understand you know, and have welcomed an investigation of United Klans of America, Inc. and have requested that the findings of HUAC be published.

By virtue of your relationship with the Joint Legislative Committee on Un-American Activities, I also invite your committee to investigate ~~any~~ organization also and make public your findings.

If you would be so kind as to encourage Mr. Willis to investigate us and publish his findings, I would appreciate it very much.

Any questions you may have concerning United Klans of America, Inc. I would be very pleased to try to answer.

I shall anticipate hearing from you soon. Meanwhile I remain sincerely,

Yours for God and Country,

J M Edwards

J.M. Edwards-Grand Dragon
United Klans of America, Inc.

JME/vh

JAMES EDWARDS EXHIBIT No. 8—Continued

Q—What process is used to determine policy or objectives?

A—A democratic assembly, Mr. Rogers.

Q—Is your organization connected in any way with the Communist Party, or any other foreign party, agency or government?

A—No, sir, it is not.

Q—Is any pledge or oath of allegiance required of all of your members?

A—Yes, indeed.

Q—Does this oath in any way infringe upon, or negate, complete loyalty to the Constitution of the United States?

A—No. Mr. Rogers, did you say "infringe or negate?"

Q—Does the oath which your members take infringe upon their loyalty to the United States, or negate in any way their loyalty to the United States?

A—No, sir, that oath does not.

Q—Would you explain that, please?

A—(No answer.)

Q—Can you give me the oath?

A—I will explain that, Mr. Rogers. The oath swears unqualified allegiance to the government of the United States of America, its Constitution and laws. May I just quote the section which has to do with allegiance?

Q—Go right ahead.

A—"I most solemnly assert and affirm that to the government of the United States of America, and any State thereof of which I may become a resident, I sacredly swear an unqualified allegiance above any and every kind of government in the whole world. I here and now pledge life, property, vote and sacred honor to uphold its flag, its Constitution, and Constitutional Laws, and will protect, defend and enforce same unto death."

Q—Mr. Edwards, what is the policy of your organization as to law violations? Is there anything in your oath concerning this?

JAMES EDWARDS EXHIBIT NO. 8—Continued

A—The attitude of the Order concerning law violations is the same as it would be on the part of any good American citizen. I repeat that for you: "I most solemnly promise and swear that I will always, at all times, and in all places, help, aid, and assist the duly constituted officers of the law, in the proper performance of their legal duties."

Q—What are the qualifications for membership in your organization?

A—He must be a white man, a Protestant person who believes in the tenets of the Christian Religion, and of sane mind, of course.

Q—Do you do any screening of people to keep out undesirable elements or people who might have criminal records, or anything like that?

A—The very best that it is possible to do.

Q—What do you do after you have gotten members in if you find out that they are involved in violations of law?

A—(No answer.)

Q—How do you take care of that, how do you handle that within your organization?

A—Any member or any person, for that matter, whose unlawful acts come to the attention of our people are reported to the proper authorities. Our organization does not harbor those who commit unlawful acts.

Q—Are they allowed to remain in the organization?

A—No, sir, this Order does not provide for a person who conducts himself contrary to the tenets of the law he has sworn to uphold, rather than to violate. As soon as any act of unlawfulness is discovered on the part of a member of this Order, he is immediately expelled.

Q—Approximately how many members do you have in the State of Louisiana, Mr. Edwards?

A—I am not at liberty to answer that question, Mr. Rogers.

Q—Can you tell us how many local Klaverns you have in Louisiana?

JAMES EDWARDS EXHIBIT No. 8—Continued

A—No, sir, I am not at liberty to reveal that.

Q—Why is that, are you sworn under some oath not to reveal that?

A—Yes, sir.

Q—What are the objectives of your organization?

A—The objectives of this Order shall be to unite all white male persons, native-born gentiles of the United States who owe no allegiance of any nature to any other government, nation, institution, ruler, sect or people; to unite people whose morals are good, whose reputations and vocations are respectable, whose habits are exemplary, who are of sound mind, and 21 years of age or more, to a common oath of brotherhood of strict regulations, and also to cultivate and promote patriotism toward our civil government.

Q—After you unite them, is the function of the organization directed solely at improving yourselves, the members, or do you have some outward manifestation of your objectives?

A—Certainly it has as its objective to improve the individual, and I think this is best done by virtue of the fact that we hold Christ himself as our criterion of character, and never in a Klavern meeting will a person stay without hearing the name of Christ proclaimed, and His principles sounded. Then in the community, I think that you will find it hard to determine any difference in the works of the people in this Order and in any other civic service, or social organization, because I think the efforts overlap in every one of these areas.

Q—Do your members aim, and are the objectives of your organization in any way directed, toward political action?

A—No, sir, I couldn't say that they are directed toward political action, but certainly men with these objectives would participate in governmental affairs; that's a responsibility of any citizen.

Q—How do you propose to realize the objectives that you have set forth here, by any means other than education?

A—What other means are there?

Q—What is the attitude of your organization toward violence?

A—A member of this Order is not going to engage in violence.

JAMES EDWARDS EXHIBIT NO. 8—Continued

Q—By that you mean a member who sincerely ascribes to the basic tenets of the Order, or do you mean a person who might have associated himself with you cynically?

A—A person might have associated himself with this Order for the sole purpose of bringing disrespect, or bringing it into disrepute, but if he ascribed to these tenets, the violence he might enter into automatically would suspend him from membership in the Order.

Q—Have you any built-in system of protection by investigation, or surveillance, or anything of this nature, to protect yourselves from people who might commit acts of violence using the existence of your organization as a "cover" for their criminal acts?

A—Would you repeat that question?

Q—Yes, what protection have you got built into your procedure, or your ritual, or your functioning of your organization, to protect your organization from acts-of-violence committed by outsiders using the existence of your organization as a "cover" for what they do?

A—There is no way a person could be connected with the Order while engaging in acts-of-violence.

Q—Why is this?

A—Because the regalia that identifies a member is not worn outside of the rituals, except, I must say this, in the organized public meetings where ceremonial ritual teams enact certain rituals where the significance of this ritual is narrated from a platform. It is done in public, and there are other instances, of course, such as street walkings, etc., but they are done in regalia in the light of day before the public, and certainly no acts-of-violence are permitted by those people. We are non-violent people. Does that answer your question, sir?

Q—Yes, it does.

A—Mr. Rogers, may I add further in connection with attaining our objectives, that what we do is done entirely within the framework of the law, utilizing every legitimate method available to us, and tolerating absolutely no person conducting himself in any manner that might be construed to be beyond the framework of our duly constituted laws.

Q—Have you ever had occasion, as yet, to turn over any law-

JAMES EDWARDS EXHIBIT NO. 8—Continued

violators to the local police authorities in any area? Do you know of any specific incident where this has been done?

A—I cannot speak for any area outside of Louisiana, but I am very happy to report that it has not come to my attention.

Q—Mr. Edwards, how are your officers of the Klan elected at the different levels?

A—Through a democratic process, by the membership.

Q—How do you get elected to the office which you hold?

A—By the same process, it is not a dictatorial organization, Mr. Rogers.

Q—Are you elected by popular vote of all the members in the State, or are you elected by a Board which is elected by the members throughout the State?

A—No, sir, perhaps like people are elected on the national level, by delegates representing a certain number of people.

Q—Have you any control as Grand Dragon of the State of Louisiana over the local Klaverns?

A—Only through the people who are elected to maintain the order in those Klaverns.

Q—Do you have any veto power over the chosen officers of the local Klavern?

A—In case their conduct is contrary to the oath and the Constitution.

Q—You do?

A—Yes, sir, in that case.

Q—Have you any disciplinary powers available to you over the members in the local Klavern, if you had learned that something had gone on which was contrary to your basic rules? Could you do anything about it if the local Klavern officers did not?

A—Yes, sir.

Q—Do you actively maintain responsibility over the local Klaverns to the best of your ability?

JAMES EDWARDS EXHIBIT NO. 8—Continued

A—Yes, sir, I do.

Q—Will you furnish the Committee with samples of the literature and printed materials used by your organization in this educational program which you have described to me?

A—Yes, sir, I would be happy to, I have some copies available.

Q—Is there anything, Mr. Edwards, that you would like to add to your testimony?

A—Mr. Rogers, I don't believe there is. I would like to add one thing, however, that in the United Klans of America, Inc., we operate according to a Committee System wherein we attempt to utilize the potential of every person in our Order, regardless of whatever his gift might be.

Q—What different committees do you have in a local Klavern?

A—Well, of course, as I said a while ago, we don't engage in politics as such, but we do concern ourselves with governmental affairs, and I believe that that is one of the most basic committees that we have. We have a religious activities committee, education committee, womens' organizations, we have a civic committee, sick and welfare, publicity, grievance, to mention a few.

Q—Is there anything other than this that you would like to add to your testimony, Mr. Edwards?

A—I believe that's just about all I have to say, Mr. Rogers, unless there are some other questions.

Q—I have no other questions for you at this time, and I would appreciate your giving us the printed materials to which you have referred already. Thank you, Mr. Edwards for giving us this time. This is the end of the Staff Consultation, the time is 12:18 A.M.

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WITNESS EXCUSED

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ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

WEDNESDAY, JANUARY 12, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Weltner, and Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. Appell, call your first witness.

Mr. APPELL. Mr. Chairman, before calling the first witness the staff desires to make a statement for the record based upon its investigation, and in view of the fact that with the start of today's hearings the committee's inquiry will deal with Klan organizations in the State of Mississippi.

Klans in Mississippi have as their origin in the modern day the action on the part of the Original Knights of the Ku Klux Klan of Louisiana when J. D. Swenson, the National Kleagle of that organization, went across the river into Mississippi and recruited into the Original Knights, the Realm of Mississippi, citizens of the State of Mississippi.

Soon after this happened a split occurred over what Klansmen felt to be the unnecessary enrichment of Mr. Swenson through initiation fees and the profits made on the sale of robes, and they split away from this organization with many of them being banished from the Original Knights of the Ku Klux Klan.

The cadre of the Original Knights of Mississippi were basically the ones that founded what was in the early part of 1964 the largest Klan organization in Mississippi, which is known as the White Knights of the Ku Klux Klan of Mississippi.

This organization grew, and certain leaders of the White Knights defected from that organization and became the leadership of the United Klans of America, Inc., Knights of the Ku Klux Klan, headed by Imperial Wizard Robert Shelton and known within Mississippi as the Mississippi Rescue Service.

The investigation from its very start, Mr. Chairman, has been very confused because Klansmen, while remaining Klansmen, have shifted from the White Knights to the UKA, and in most recent days we have learned of two Klaverns of the United Klans of America switching back to the White Knights.

The White Knights of the Ku Klux Klan is unique as an autonomous Klan organization in that its constitution and the oath which it administers to its members do not follow the standard pattern of the Klan of 1915, from which most of the modern day Klans adopt their constitutions, their rituals, and their oaths.

The constitution of the White Knights of the Ku Klux Klan divides this organization into two branches of a legislature—the senate, which they call their Klonvocation, and their lower house which they call the Klanburgesses.

The executive department of the White Knights of the Ku Klux Klan is headed by an Imperial Wizard, whom the investigation established to be Sam Holloway Bowers, Jr., of Laurel, Mississippi; a Grand Dragon, Julius Harper; a grand giant, Billy Buckles; a grand chaplain, who in the early days was Paul Foster, and who later was replaced by Petus G. Bilbo; the grand director of the Klan Bureau of Investigation, who in the early days was Mr. Ernest S. Gilbert and who is now a king kleagle for the United Klans of America.

The organizational structure of the White Knights is divided into five districts, which compare to the congressional districts of Members of Congress from the State of Mississippi, and this division is divided into nine provinces.

Each of these provinces has in its leadership a province giant and a province KBI. These province giants and province KBI's are members of the cabinet of the White Knights of the Ku Klux Klan.

The constitution under Article II sets forth the authority of the Imperial Wizard, and in Section 17 of Article II it sets forth the duties of the province giant and the KBI.

In this connection, Mr. Chairman, I would like the record to disclose that under the constitution it is reported that all projects which arise in a Klavern or in the Klan which are of—

a Great Magnitude or Complex in Nature shall be forwarded through the Chair of Command to the Imperial Wizard, who shall seek the advice and counsel of all Grand Officers.

Investigation and sworn executive testimony, Mr. Chairman, show that projects of great magnitude and of complex nature refer to official projects adopted by the Klan, known as Projects 1, 2, 3, and 4.

Project 1 is a threatening telephone call, or visits.

Project 2 is the burning of a cross, usually on private property.

Project 3 is beatings or floggings, burning of property, wild shooting into property, and bombings.

Project 4 is extermination.

The constitution provides for a judicial department headed by a chief klanjustice and four other klanjustices, a finance department, which is headed by a chief klabursar, and four additional klabursars.

The Klaverns and the officers within the Klavern follow the normal organizational structure of a Klan Klavern except that in the White Knights the Klavern officers include a klepeer, who is the Klavern representatives to the Klanburgesses.

The constitution of the White Knights of the Ku Klux Klan is unique to other constitutions because, while it requires of its members an oath which pledges absolute obedience to the White Knights constitution and its laws, the member swears allegiance to the Constitution of the United States only as originally written.

The oaths of the White Knights of the Ku Klux Klan do not provide, as do the other Klan oaths which the committee has dealt with, in that the other oaths provide that a Klansman shall keep secret to himself the secret of a fellow Klansman except in the case of treason against the United States, rape, and malicious murder.

In the case of the White Knights of the Ku Klux Klan, their constitution provides that a man guilty of those three offenses is not eligible for membership, but their constitution provides that a secret of a Klansman shall be kept secret, period.

Mr. Chairman, I would like to call the staff's first witness, Gordon Lackey.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LACKEY. I do.

The CHAIRMAN. Mr. Blackwell, at the conclusion of the hearings yesterday, in response to a call for Douglas Byrd, Route 1, Liberty, Mississippi, to take the stand, you presented in his behalf a medical statement.

This statement, on the letterhead of The Field Clinic, Centreville, Mississippi, and signed by Dr. John Y. Gibson advised the committee that Byrd was confined at the Field Memorial Community Hospital because of a back condition. It was the doctor's position that Mr. Byrd would require 1 week to 10 days of hospital care.

In light of the medical statement, I request that you advise your client, Mr. Byrd, to appear before the committee at 10 a.m., January 19, 1966.

Now, Mr. Blackwell, if consultation with Dr. Gibson indicates that Mr. Byrd, for reasons of his physical disability, is unable to appear at that time, I hope you will notify the committee of that.

Mr. BLACKWELL. Yes, sir.

TESTIMONY OF GORDON MIMS LACKEY, ACCOMPANIED BY COUNSEL, TRAVIS BUCKLEY AND CHARLES G. BLACKWELL

Mr. APPELL. State your full name, please.

Mr. LACKEY. My full name is Gordon Mims Lackey.

Mr. APPELL. Your last name is spelled L-a-c-k-e-y?

Mr. LACKEY. That is correct, sir.

Mr. APPELL. Mr. Lackey, are you appearing here in accordance with a subpoena served upon you by John D. Sullivan on November 5, 1965, at 412 W. Park Avenue, Greenwood, Mississippi?

Mr. LACKEY. Yes, sir; that is correct.

Mr. APPELL. Are you represented by counsel?

Mr. LACKEY. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi, Post Office Box 411.

Mr. APPELL. And the additional counsel?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, 790 Northwood Drive, Laurel, Mississippi.

Mr. APPELL. Mr. Lackey, under the conditions of the subpoena served upon you and attachment thereto, which was made part of the subpoena, you were commanded to bring with you and to produce to the committee documents called for in the subpoena, paragraph 1, which reads:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely the Mississippi Constitutional Council in your possession, custody or control, or maintained by you or available to you as the past or present Kleagle at Large, and/or Special Investigator to the Imperial Wizard of the White Knights of the Ku Klux Klan of Mississippi.

Mr. Lackey, I ask that you produce those documents in the representative capacity set forth in the subpoena.

The CHAIRMAN. Before that, Mr. Lackey, I ask your counsel if it is a fact and whether they will stipulate that you are familiar with the opening statement I made October 19, last year, outlining the general purposes, objectives, and the reasons for this hearing.

Mr. BUCKLEY. Mr. Chairman, I do so stipulate.

The CHAIRMAN. Thank you.

I did not want to direct the question to your client, but you are speaking for your client in this instance?

Mr. BUCKLEY. Yes, sir.

Mr. APPELL. Will you produce the documents, Mr. Lackey?

Mr. LACKEY. Sir, I am sorry but I cannot produce such records as ordered by the subpoena issued me, due to the fact that such records were and are not in my possession, custody, or control and I do not have access to such documents.

Mr. APPELL. Mr. Lackey, in the representative capacity set forth in the subpoena, did you possess such documents?

Mr. LACKEY. Would you repeat the question, sir?

Mr. APPELL. In the representative capacity set forth in paragraph 1 of your subpoena, did you possess such records?

Mr. LACKEY. Sir, with all sincerity, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed me by the 5th, the 1st, and the 14th amendments of the Constitution of the United States of America, sir.

The CHAIRMAN. I am afraid I do not follow the position of the witness. He is represented by able counsel, of course.

Mr. Appell, try to be very attentive, because the witness took a position and then another under his asserted constitutional rights.

Will you repeat your first question?

Mr. APPELL. Mr. Lackey, I ask you to produce those documents which are enumerated in paragraph 1 of the attachment to your subpoena.

Mr. LACKEY. Sir, I am extremely sorry, but I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not have access to any such documents.

The CHAIRMAN. Are you now saying, sir, that as an individual you did not have possession, custody, or control or access to these documents?

I ask that in view of what you said in response to the second question. If your counsel wants to explain your position, your exact legal position, I will accept that instead of its coming from you, but I cannot quite distinguish between your first answer and your second answer because, I call attention to you and your counsel, the subpoena on the face of it calls for you to produce those documents in your representative capacities, and Mr. Appell made the request of you in your representative capacities.

Are you distinguishing between the two?

Mr. BUCKLEY. Mr. Chairman, would you like me to explain it?

The CHAIRMAN. Yes.

Mr. BUCKLEY. I think I can say simply this: His position, his response to the original question, is simply that it was not within his power, and it has not been within his power, to comply with the subpoena. He could not comply with it. It was not within his power to so do. In other words, he does not have any contempt. It is not that he is purposely evading or avoiding the subpoena or this committee, but it was simply not within his power to so do.

The CHAIRMAN. Are you saying that you do not now have and have never had—I am directing the question to the witness—possession, custody, or control or access to the documents called for by the subpoena, either as an individual or in a representative capacity?

Mr. LACKEY. Mr. Chairman, I must respectfully decline to answer that question—

Mr. WELTNER. Mr. Chairman?

Mr. LACKEY. —and as a defense invoke the privileges guaranteed to me by the fifth amendment of the Constitution of the United States of America, sir.

Mr. WELTNER. Mr. Chairman, directing myself to the apparent conflicting positions, I would like to call attention to Article V of the constitution of the White Knights which states the duties of kleagles. It is my understanding that this witness is the grand kleagle of the White Knights.

His duties under Article V. Section 4 in the recruiting of members consists of preparing in quadruplicate form the application blanks. One copy is given to the kligraph, or secretary, and then within 15 days he is under duty to present the remaining copies to the district klabursar.

Assuming that this witness is the kleagle and assuming he has complied with his constitutional obligations, he would have had the documents, but would not have any documents within 15 days following the recruiting of a new member.

For that reason I can see why he would say he has no documents now and would refuse to answer whether he had ever had them.

The CHAIRMAN. Of course, the questions are in the record, irrespective of the explanation.

Mr. LACKEY, your counsel, as I understood him, said what you were trying to say was that you did not have the power to produce these documents. Did I understand counsel correctly?

Mr. BUCKLEY. That is right.

The CHAIRMAN. What the subpoena calls for is documents or documents in your possession or control or custody or available to you. Are you also saying that you do not now have, and never have had, possession, custody, or control, or custody or accessibility to the documents, irrespective of whether you didn't have the technical power to produce them?

Mr. LACKEY. Mr. Chairman, are you asking me or my attorney?

The CHAIRMAN. I directed the question to the witness.

Mr. LACKEY. Sorry, sir; I didn't understand it. I thought you had asked my attorney.

The CHAIRMAN. You can advise with him.

Mr. LACKEY. I thought you directed the question directly to him. I am sorry, sir.

Sir, I think it would be clearer purely by my stating that it was not physically within my power to bring any such records, documents, correspondence, memoranda, et cetera, purely because I did not possess these documents at the time, they were not within my custody or control, and I could not physically bring something that I did not have, sir.

The CHAIRMAN. Did you have possession, custody, or control, or were there available to you these documents called for on the date that you were served with the subpoena, November 5, 1965, until today?

Mr. LACKEY. No, sir, I did not.

The CHAIRMAN. You are saying, and you are under oath, that at no time did you have possession, custody, or control or availability of these documents?

Mr. LACKEY. Mr. Chairman, with all possible respect for this committee and its staff, I must in all sincerity decline to answer that question on the grounds as previously stated in invoking the fifth amendment.

The CHAIRMAN. I think I follow you. What you are trying to say is that you stick by your first statement that from the time that the subpoena was served on you, November 5, 1965, until today, during that period of time you did not have possession, custody, or control and that these documents were not available to you during that period of time. That is the time where you are saying you had no power, as you put it, to produce the documents. Is that the testimony you are giving?

Mr. LACKEY. Yes, sir; that is absolutely correct.

The CHAIRMAN. Now, as a matter of law I will ask you this question: Did you have possession, custody, or control, or were these documents available to you the day before or at any time before you were served, but that you deliberately lost possession, custody, or control and saw to it that they were not available to you prior to that time because you feared, or had reason to believe, that a subpoena would be served upon you to produce them?

Mr. LACKEY. Mr. Chairman, I must for clarity at this time decline to answer the question on the grounds as previously stated invoking the fifth amendment, but I would like to state that I am——

The CHAIRMAN. Wait a minute. You cannot invoke the fifth amendment and then say something to just applaud yourself unless you realize you will be subject to cross-examination on that.

I am making myself plain.

Mr. LACKEY. Yes, sir; I was trying to do this in the interest of clarity. I am stating that I have never destroyed any document or correspondence, et cetera, in contempt of this body.

The CHAIRMAN. All right. Then my next question is this: Accepting as true that you have never destroyed any documents in contempt of this body at any time, even before you were subpoenaed to produce them, did you at any time, let us say from March 30, 1965, when the committee announced that it would conduct these hearings, just transfer them to another person or somehow, without destroying them, lose custody, possession, control, and availability of the documents?

Mr. LACKEY. Mr. Chairman, I have never taken any deliberate steps——

The CHAIRMAN. You are not answering my question, and I insist that you do.

Mr. LACKEY. Sir, would you restate the question? Perhaps I misunderstood it.

The CHAIRMAN. You testified that at no time, even prior to the service of the subpoena on November 5, did you destroy these documents. I base my question on the assumption that you did not destroy them. Not having destroyed them, did you have possession, custody, or control, or were those documents available to you from March 30, 1965, when we announced the hearings, and did you then transfer them to somebody else, pass them on to somebody else, or deliberately lose or do away with custody, possession, or control, or did you see to it that they were no longer available, they were no longer available to you?

You are under oath, and that is it.

Mr. LACKEY. Mr. Willis, I believe you gave me this date—from March 30 of 1965. That is the date when this hearing was announced. Is it from that date up until the present? Is that the date in your question?

The CHAIRMAN. Yes.

Mr. LACKEY. Sir, during those dates these documents requested by the subpoena were not within my custody, possession, or control so that I could have destroyed them, done away with them, or anything else.

The CHAIRMAN. Then I will go back to my first question which was broader: Did you at any time have possession, control, or custody of those documents, and were they at any time available to you, and did you see to it that you lost possession, control, or custody, and did you see to it that they were no longer available because of a fear or because of a realization or because you had reasons to believe that at some time you would be ordered by subpoena to produce them?

Mr. LACKEY. No, sir, Mr. Willis.

The CHAIRMAN. Mr. Lackey, you have responded to my questions under oath, so I direct Mr. Appell to proceed.

Mr. APPELL. Paragraph 2 of the subpoena calls upon you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control or maintained by or available to you, in your capacity as Special Investigator to the Imperial Wizard or Kleagle at Large of the White Knights of the Ku Klux Klan, of Mississippi which the Constitution and Laws of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

I request you to produce in your representative capacity stated in the attachment, paragraph 2, the documents called for in paragraph 2.

Mr. LACKEY. Mr. Appell, with all possible respect for this body, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not have access to such records, sir.

The CHAIRMAN. Have you ever had in your possession, custody, or control any documents relating to the White Knights of the Ku Klux Klan, and this refers to these last documents called for and the ones now called for?

Mr. LACKEY. Sir, I respectfully decline to answer that question and invoke as a defense for so doing the privileges guaranteed to me by the 5th, the 1st, and the 14th amendments of the Constitution of the United States of America.

The CHAIRMAN. Mr. Lackey, it has been made abundantly clear to you and your counsel that these documents just called for, and the ones called for in paragraph 1, that you were being called upon to produce them in the representative capacities stated in the subpoena.

The reason you have given for refusal to produce the documents called for by both paragraphs 1 and 2 of the subpoena do not, in my opinion, legally justify your refusal, and those reasons are rejected.

I now order and direct you to produce them.

Mr. LACKEY. Mr. Chairman, with all possible respect I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not have access to such records and could therefore—it was a physical impossibility for me to bring such records.

The CHAIRMAN. I understand that, but yet you invoke the privileges of the constitutional amendments you related. The two do not make sense. That is why I directed you to produce them.

Unless you want to explain your position, there is something wrong somewhere. Maybe I am wrong and dumb, but you do not need the invocation if what you say is true, so I have ordered you, and you have refused. That is the way the record stands.

Mr. APPELL. Mr. Lackey—

The CHAIRMAN. Do you know who has them?

Mr. LACKEY. Sir, with all possible respect, I must refuse to answer that question for the reasons previously stated, invoking the fifth amendment of the Constitution of the United States of America.

The CHAIRMAN. Mr. Lackey, you testified under oath that you do not now have, and never have had, possession, custody, or control of these documents called for in paragraphs 1 and 2 of the subpoena and that at no time were they available to you during the period from March 30, 1965, until the present time. You also testified under oath that you did not destroy them and that you did nothing to divest your-

self of custody, possession, or control. I have the right not to accept that position and to cross-examine you on that, and I am now doing it, especially because I take the position that you have waived your fifth amendment rights, and so I now ask you, What became of those documents?

Mr. LACKEY. Sir, with all respect, all possible respect to this committee and its staff, I must decline to answer that question for the reasons previously stated, invoking my rights guaranteed me by the fifth amendment to the Constitution of the United States of America.

The CHAIRMAN. I order and direct you to answer that question and to produce the documents.

Mr. LACKEY. Mr. Chairman—

The CHAIRMAN. First, I order and direct you to answer the question I have just asked.

Mr. LACKEY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know who has possession of those documents at this time or at any time since you were served with the subpoena on November 5, 1965?

Mr. LACKEY. Mr. Willis, with all due dignity and respect, sir, I must decline to answer that question for the reasons previously stated, invoking my rights guaranteed me by the fifth amendment to the Constitution of the United States of America.

The CHAIRMAN. Did those documents ever exist? It is obvious some documents relating to the White Knights of the Ku Klux Klan did exist.

Mr. LACKEY. Sir, for the reasons previously stated, I must respectfully decline to answer that question.

The CHAIRMAN. I order and direct you to answer that question.

Mr. LACKEY. Sir, I must respectfully decline—

The CHAIRMAN. You don't have to do anything. You may choose to do what you want. You do decline?

Mr. LACKEY. Yes, sir; that is correct, sir.

The CHAIRMAN. To answer questions on the grounds previously stated?

Mr. LACKEY. Yes, sir; that is absolutely correct.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. Lackey, when and where were you born?

Mr. LACKEY. Sir, I was born in Greenwood, Leflore County, Mississippi, September 12, 1936.

Mr. APPELL. Where do you presently reside?

Mr. LACKEY. Sir, my present residence is 1414 Camelia Street, Greenwood, Leflore County, Mississippi.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. LACKEY. Sir, I entered the public school systems in Greenwood, Leflore County, Mississippi, where I graduated from Greenwood High School.

Mr. APPELL. In what year, sir?

Mr. LACKEY. In the year 1954, sir.

Mr. APPELL. Did you serve in the military of the United States or the State of Mississippi?

Mr. LACKEY. Sir, I did not finish on the educational question you asked before. Would you like me to finish that before I go to the next question?

Mr. APPELL. Yes; please continue.

Mr. LACKEY. I graduated from Greenwood High School in Leflore County, Mississippi. I attended Mississippi State University, at that time Mississippi State College, for an intermittent period of about 5 years, dropping out occasionally to work and then returning the next year to the university.

Mr. APPELL. How many credits did you earn?

Mr. LACKEY. Sir, I don't have my university transcript with me and the length of time and the exact hours escape me.

Mr. APPELL. You did not receive a degree?

Mr. LACKEY. That is correct, sir; I did not receive a degree.

Mr. APPELL. Now, returning to the question about military service, have you had any military service?

Mr. LACKEY. Sir, I served 8 years in the United States Army Enlisted Reserve. I served 2 to 3 years in the Mississippi National Guard. I had no active duty other than the short periods of active duty required for training by these reserve components.

Mr. APPELL. As a member of the military establishments you have set forth, were you trained in counterinsurgency and did you qualify with an M-1 rifle?

Mr. LACKEY. Sir, in these reserve components there is at least 2 hours per week of counterinsurgency training which is required in all reserve training. And in the normal course of events, I attended those classes on counterinsurgency, but I would not say I achieved any degree of proficiency as such in counterinsurgency.

Sir, during the 8 years that I spent in the United States Army Reserve, I did not have occasion to qualify with the United States rifle caliber 30 M-1. In the Mississippi National Guard's annual spring firing range training, I did qualify with the United States rifle caliber 30 M-1.

Mr. APPELL. In addition to the military service which you have stated, would you give the committee your principal employment background since 1960?

Mr. LACKEY. Sir, my principal employment since the year of 1960 was a small motorcycle sales and service shop, which I operated myself in my backyard.

Mr. APPELL. From 1963 to the present time, would you give the committee sources of income which you had, other than the motorcycle repair and sales service and with the Mississippi National Guard?

Mr. LACKEY. Sir, I most respectfully decline to answer that question for the reasons as previously stated, sir.

Mr. APPELL. Mr. Lackey, I hand you a form of "Application for Citizenship in the Invisible Empire in the White Knights of the Ku Klux Klan of Mississippi" and ask if you have ever used such a document to recruit Mississippians into the organization stated in the application?

Mr. LACKEY. Sir, for the reasons previously stated I respectfully decline to answer that question.

(Document marked "Gordon Lackey Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Mr. Lackey, were you a kleagle at large or organizer of the White Knights of the Ku Klux Klan of Mississippi?

Mr. LACKEY. Sir, I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. Lackey, the committee's investigation established that you did hold such a position, in addition to other positions. Therefore, I want to ask you the purport of the last sentence in the application, which reads as follows:

If I prove untrue as a Klansman I will willingly accept as my portion whatever penalty your authority may impose.

What does that mean, sir?

Mr. LACKEY. Sir, I believe I missed a little of the wording. Would you please repeat it to me, sir?

Mr. APPELL. [Reading:]

If I prove untrue as a Klansman I will willingly accept as my portion whatever penalty your authority may impose.

Mr. LACKEY. Sir, I must respectfully decline to answer that question for the reasons previously stated, sir.

Mr. APPELL. Mr. Lackey, I show you a document, the cover page of which is missing, which describes itself to be "The Constitution of the White Knights of the Ku Klux Klan of the Sovereign Realm of Mississippi." This copy that I am showing you was printed after April 1964 because, according to the document, it contains three amendments passed on April 19, 1964. I am showing you this document and asking you if you are familiar with its contents?

Mr. LACKEY. Sir, for the reasons previously stated I most respectfully decline to answer that question.

(Document marked "Gordon Lackey Exhibit No. 2." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 253-292.)

Mr. APPELL. Mr. Lackey, the committee's investigation establishes that when the White Knights was in its formation stage in late 1963 and early 1964 that you were appointed to a committee for the purpose of drafting a constitution for the White Knights of the Ku Klux Klan. I put it to you as a fact, and ask you to affirm or deny the fact.

Mr. LACKEY. Mr. Appell, for the reasons previously stated I, in all respectfulness, decline to answer that question, sir.

Mr. APPELL. Did you know Douglas A. Byrd to be the Grand Dragon of the Original Knights of the Ku Klux Klan, Realm of Louisiana, and did Mr. Byrd assist you in the drafting of this constitution?

Mr. LACKEY. Mr. Appell, I respectfully decline to answer that question for the reasons previously stated, sir.

Mr. APPELL. Mr. Lackey, I shall read to you from Article V of this constitution, which relates to recruiting, and after reading it to you I shall ask some questions based upon the provisions of this constitution:

Section 1. All Kleagles and Organizers shall be selected on the basis of their depth of Christian Dedication, Ability to Organize and Instruct, their Domestic Situation, and their Moral Integrity.

Section 2. The Klan Kleagle and his selected Kleagles shall be primarily responsible to the Klan for the further expansion and organization of the Klan.

Section 3. All Kleagles must possess the clerical ability to perform the work which the office requires.

Section 4. All Kleagles shall, as a part of each Initiation Ceremony, prepare a receipt in quadruplicate form, and shall number same, and shall obtain thereon the number of the Klavern Kligrath, or the temporary officer in charge of the Klavern, if UnKharted. The Kleagle shall then leave one copy with the Kligrath or temporary officer. The Kleagle shall then, within fifteen days, present the remaining three copies of the quadruplicate receipt form to the proper District Klabursar thereon, and leave one copy with the Klabursar. The Kleagle shall then forward both remaining copies of the receipt to the Grand Giant who shall number both copies, retain one and return the other to the Kleagle. The four copies shall be retained by their respective holders and surrendered upon call of a bona-fide Klan Auditor. The Klabees of Khartered Klaverns shall perform the clerical duties outlined in this section.

Section 5. All Kleagles may be compensated by law.

Section 6. No Kleagle, Officer or Klansman in any capacity shall ever attempt to recruit an alien for membership into the Klan who is a negro, jew or papist. not [sic] shall any alien who is cohabiting with or married to, by common law or pagan ways, a negro, jew or papist ever be allowed membership in the Klan.

Section 7. No person who professes atheism, or who refuses to acknowledge Almighty God as his Creator, Savior and Inspiration shall ever be allowed membership in the Klan.

Section 8. No person who espouses any allegiance in any form to any government or governmental system, social, ecclesiastical or political, which is in any way incompatible with the Lawful, Constitutional, Governmental System of the United States of America shall ever be allowed membership in the Klan. No person who advocates the overthrow or erosion of the Lawful, Constitutional Government of the United States of America shall ever be allowed membership in the Klan. No person shall ever be recruited who is not a White, Gentile, American-born Citizen.

Section 9. Kleagles shall scout into new areas and contact prospective Christian militant aliens for membership in a careful and Judicious manner using maximum possible secrecy, after being commissioned for this work by the Imperial Wizard.

Section 10. The membership of the Klan shall be composed of Christian men who meet the requirements heretofore stated and who are Twenty-One Years of Age, or older, sound of mind, sober in habits, of good moral character and not guilty of rape, murder, or treason.

Section 11. After the Initial men have begun a new Klavern, or a Klavern has been established, the Exalted Cyclops or temporary [sic] officer in Charge shall call for names of men to be submitted as prospective candidates for membership. All members of the particular Klavern who are Klansmen in good standing shall be allowed to submit names of persons whom they have known for at least five years personally, and for two years intimately, at least. A submitted name must be accompanied by the vouch of an additional Klavern member in good standing. All submitted names shall be immediately recorded on the Prospective Candidate Roll within the Klavern.

The Exalted Cyclops or Temporary Officer in Charge of the Klavern shall require that all names of Prospective Candidates shall be called and read aloud at two consecutive meetings of the Klavern without a dissenting vote being cast against any particular prospective candidate, before the sponsor of that particular candidate shall be granted permission to approach that particular candidate for membership. If no dissent is heard on a particular candidate for two consecutive Klavern Readings of his name, the sponsor shall have permission to contact the candidate for membership.

Mr. Chairman, I ask that the remaining paragraphs—

The CHAIRMAN. Let the document be inserted in the record in full.

Mr. APPELL. Mr. Lackey, in Section 4 that I read to you, it states that one copy of the receipt is returned to the kleagle. What disposition did you make of the copy which, according to Section 4, was to be retained by you so that it might be surrendered upon call of a bona fide Klan auditor?

Mr. LACKEY. Mr. Appell, I respectfully decline to answer that question for the reasons as previously stated, sir.

Mr. APPELL. Mr. Lackey, you continually invoke the 1st, 5th, and 14th amendments to the Constitution of the United States, but the constitution of the White Knights only holds to the Constitution as originally written and those amendments were not in it. Can you explain that to me?

Mr. LACKEY. Sir, for the reasons previously stated I most respectfully decline to answer that question.

The CHAIRMAN. Mr. Lackey, it is obvious that some documents passed through your hands at some time, particularly, as I understood the reading of Section 4 of your constitution, in connection with recruitment operations. Did you recruit anyone to membership since the service of this subpoena, or since March 30, 1965?

Mr. LACKEY. Mr. Chairman, for the reasons as previously stated, I most respectfully decline to answer that question, sir.

The CHAIRMAN. And I now again order and direct you to produce the documents called for by the subpoena.

Mr. LACKEY. Mr. Willis, sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not and do not have access to such records, sir.

The CHAIRMAN. I now order and direct you to answer the last question I propounded. I don't know if I asked that of you before; did I?

Mr. APPELL. Yes, sir.

The CHAIRMAN. All right, then I do not accept the reasons given by you and the constitutional provisions relied upon as a basis for not producing those documents and I order and direct you to do so.

Mr. LACKEY. Mr. Willis, I am sorry, sir, there seems to be a little confusion between my attorney and I. What is the last question?

The CHAIRMAN. It is a direction to produce the documents.

Mr. LACKEY. Thank you, sir.

Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were and are not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Go on.

Mr. APPELL. Mr. Lackey, the constitution of the White Knights of the Ku Klux Klan provides that a kleague who performs ceremonies of initiation in Klaverns other than his home Klavern shall be entitled to deduct from the initiation fee \$4 for his personal fee and shall remit the remaining \$6 to the proper district klabursar. To whom did you transmit the \$6 as provided for in the constitution?

Mr. LACKEY. Mr. Appell, I respectfully decline to answer that question for the reasons previously stated, sir.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his consistent refusal to answer questions with respect to the activities of the White Knights of the Ku Klux Klan, I present to the committee the results of our investigation as they pertain to Mr. Lackey.

He was appointed, along with Douglas A. Byrd and others, to write a constitution for the White Knights of the Ku Klux Klan of Mississippi. Douglas Byrd at that time was the former Grand Dragon of the Original Knights of the Ku Klux Klan, Realm of Mississippi, which

has been known by the cover name of the Louisiana Rifle Association and was banished in 1963 from office and membership by the Imperial Dragon of the Original Knights of the Ku Klux Klan, Royal V. Young.

In early 1964, at one of the first meetings of the White Knights of the Ku Klux Klan in Brookhaven, Mississippi, Mr. Lackey was made an Imperial Investigator and placed under the control of Ernest S. Gilbert, then grand director of the Klan Bureau of Investigation and a man who is now the kleagle of the United Klans of America.

In October 1964, he became a kleagle or organizer at large.

In October 1964, he became one of two province officers holding the position of province KBI in Province 2 to replace Wesley Kersey. Both were members of the Leflore Unit No. 1 of the White Knights of the Ku Klux Klan.

In March 1965 he became province giant for the Leflore Province 2.

In August 1964, Lackey discussed blowing up the SNCC headquarters around Greenwood, Mississippi. However, since cars parked in the vicinity were believed to be occupied by FBI agents, the project was forgotten.

On August 30, 1964, the White Knights of the Ku Klux Klan held a statewide meeting at Crystal Springs, Mississippi. Among other things, it was agreed to issue temporary charters with 25 men and permanent charters with 40. Lackey objected to this procedure.

On September 14, 1964, at an executive meeting of the White Knights held in Crystal Springs, Mississippi, Gordon Lackey was in attendance.

On January 1, 1965, a meeting was held at the Heidelberg Hotel in Jackson, Mississippi, for the purpose of establishing a defense fund to be known as the White Christian Protective and Legal Defense Fund. This fund had as its primary function the raising of funds for the defense of Philadelphia, Mississippi, defendants accused of the murder of three civil rights workers. A board of directors was appointed and consisted of Glen Swetman of Biloxi, Mississippi, a province giant of the White Knights; Pete Shumaker, of Kosciusko, Mississippi; Reverend Delmar Dennis, Meridian, Mississippi; and James M. Hooper of Sidon, Mississippi. The state chairman of the fund was Elmore D. Greaves of Jackson, Mississippi. Present at the meeting in addition to Mr. Lackey were the Grand Giant B. D. Buckles, Imperial Wizard Bowers, Province Giant J. K. Greer, Grand Dragon Julius Harper, Elmore Greaves, Johnny Bostick of Natchez, Mississippi, and E. L. "Tiny" Lewis of Natchez, Mississippi.

On January 30, 1965, a meeting was held in Room 3-E of the Robert E. Lee Hotel in Jackson, Mississippi. Gordon Lackey was present at this meeting along with other Klan officials, who used this occasion for the purpose of attending a Klan cabinet meeting held on January 31.

On January 20, 1964, Gordon M. Lackey applied for a citizens band radio license covering four transmitters.

In May of 1965, M. F. White of Greenwood, Mississippi, hired a Negro, Walter Fisher, to paint a house he owned in Greenwood, Mississippi. Fisher, unknown to Mr. White, hired Dewey Green, a relative of the Negro student at Ole Miss. Klansmen painted a black band around the newly painted house with a type of paint sold to Gordon Lackey for use in his motorcycle repair shop.

Lackey recruited into membership in the White Knights Byron de la Beckwith, who was arrested and tried for the murder of Medgar Evers.

This information, Mr. Chairman, indicates Mr. Lackey possesses additional information which is both pertinent and relevant to this committee and would materially aid this committee and the Congress in proposing remedial legislation.

The CHAIRMAN. Mr. Lackey, you heard the statement read by Mr. Appell. You now have the opportunity to confirm or challenge the accuracy of the statement or to explain any part of it. In addition you may, if you desire, offer any other matter you deem relevant to this inquiry. Do you care to avail yourself of this opportunity?

Mr. LACKEY. Sir, I respectfully decline to do so for the reasons previously stated.

The CHAIRMAN. In that case, Mr. Lackey, I inform you that in the absence of your rebuttal or other facts that might come to the attention of this committee, this committee will rely upon the accuracy of its investigation. Bearing that in mind, do you wish to say anything?

Mr. LACKEY. No, sir, I do not care to make any statement.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Lackey, with respect to the painting of a black band around a rental house in Greenwood, Mississippi, owned by M. F. White, did you have a conversation with Mr. White with respect to the Negroes that he hired?

Mr. LACKEY. Mr. Appell, for the reasons as previously stated, I most respectfully decline to answer that question, sir.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you told Mr. White he had hired the "wrong Nigger" to paint his house and that a neighbor had told Green, the Negro, to get out of the neighborhood?

The CHAIRMAN. You shook your head indicating in effect it was not so or you did not know about it. You are at liberty to state the facts or test the accuracy of our investigation. Do you care to answer that question?

Mr. LACKEY. No, sir, for the reasons as previously stated I most respectfully decline to answer that question.

Mr. APPELL. Mr. Lackey, I ask you whether or not the black band was painted around this house by you, John Winstead, and Byron de la Beckwith?

Mr. LACKEY. Sir, with all possible respect, I must decline to answer that question for the reasons as previously stated, sir.

The CHAIRMAN. Mr. Appell, for clarification, you mentioned that Mr. Lackey had recruited Byron de la Beckwith into the Klan, but you did not state a time. Was that before or after the hung jury proceeding?

Mr. APPELL. I think Mr. Byron de la Beckwith has been tried twice, both of which trials resulted in a hung jury, and it is the committee's information that it was after both of those trials.

The CHAIRMAN. Proceed.

Mr. APPELL. I hand you an application for a citizens band radio license containing the signature of Gordon M. Lackey. The date set forth here as the date the application was signed is January 20, 1964.

However, I think the proper year should be 1965 because the stamped receipt of the Federal Communications Commission shows the fee was received on January 22, 1965.

I hand you this application and ask you if this is a copy of the application that you submitted for a citizens band radio license?

Mr. LACKEY. Sir, for the reasons as previously stated I respectfully decline to answer that question.

(Document marked "Gordon Lackey Exhibit No. 3" follows:)

GORDON LACKEY EXHIBIT No. 3

FCC FORM 15
REVISED MAY 1965

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20540

FORM APPROVED
CIVILIL RIGHTS ACT, 42-11901A

APPLICATION FOR CLASS B, C, OR D STATION LICENSE IN THE CITIZENS RADIO SERVICE

DO NOT WRITE IN THIS BLOCK

FEE: \$ 8.00

413232 JAN 22 65

FCC-GIT:YSBWC, PMNKA

1. Application for Class A station license must be filed on FCC FORM 430.
2. Complete on typewriter or print clearly.
3. Be sure application is signed and dated. Mail application to Federal Communications Commission, Gettysburg, Pa., 17325.
4. Enclose appropriate fee with application, if required. DO NOT SUBMIT CASH. Make check or money order payable to Federal Communications Commission. (See Part 15, Volume VI of FCC rules to determine whether a fee is required with this application.)

1 NAME OF APPLICANT BUSINESS NAME (OR LAST NAME, IF AN INDIVIDUAL) Lackey FIRST NAME OF AN INDIVIDUAL Gordon MIDDLE INITIAL M.			9 DOES EACH TRANSMITTER TO BE OPERATED APPEAR ON THE COMMIS- SION'S "RADIO EQUIPMENT LIST, PART C," OR, IF FOR CLASS C OR CLASS D STATIONS, IS IT CRYSTAL-CONTROLLED? (If no, attach detailed description: see subpart C of Part 15)		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
2 IF AN INDIVIDUAL OPERATING UNDER A TRADE NAME, GIVE INDIVIDUAL NAME, OR IF PARTNERSHIP, LIST NAMES OF PARTNERS (Do not repeat any name used in item 1) LAST NAMES FIRST NAMES MIDDLE INITIAL			10 A. WILL APPLICANT OWN ALL THE RADIO EQUIPMENT? (If no, answer B and C below)		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
3 MAILING ADDRESS NUMBER AND STREET 412 W. Park Ave. CITY Greenwood STATE Miss. ZIP CODE 38931 COUNTRY OR EQUIVALENT SUBDIVISION Leflore			11 HAS APPLICANT READ AND UNDERSTOOD THE PROVISIONS OF PART 15, SUBPART D, DEALING WITH PERMISSIBLE COMMUNICATIONS FOR WHICH THIS CLASS OF STATION MAY BE USED?		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
4 CLASSIFICATION OF APPLICANT (See instructions) <input checked="" type="checkbox"/> INDIVIDUAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> GOVERNMENTAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER (Specify):			12 WILL THE USE OF THE STATION CONFORM IN ALL RESPECTS WITH THE PERMISSIBLE COMMUNICATIONS AS SET FORTH IN PART 15, SUBPART D?		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
5 CLASS OF STATION (Check only one) <input type="checkbox"/> CLASS B <input type="checkbox"/> CLASS C <input checked="" type="checkbox"/> CLASS D			13 IS THE APPLICANT A PARTY TO A WRITTEN LEASE OR OTHER AGREEMENT UNDER WHICH THE OWNERSHIP OR CONTROL WILL BE EXERCISED IN THE SAME MANNER AS IF THE EQUIPMENT WERE OWNED BY THE APPLICANT?		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
6 IS THIS APPLICATION TO MODIFY OR RENEW AN EXISTING STATION LICENSE? <input type="checkbox"/> YES (Give call sign): <input checked="" type="checkbox"/> NO			14 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY OF THE PARTNERS AN ALIEN?		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
7 DO YOU NOW HOLD ANY STATION LICENSE, OTHER THAN THAT COVERED BY ITEM 4, OF THE SAME CLASS AS THAT REQUESTED BY THIS APPLICATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			15 IS APPLICANT THE REPRESENTATIVE OF ANY ALIEN OR ANY FOREIGN GOVERNMENT? (If yes, explain fully)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
8 TOTAL NUMBER OF TRANSMITTERS TO BE AUTHORIZED UNDER REQUESTED STATION LICENSE 4 (Number)			16 WITHIN 10 YEARS PREVIOUS TO THE DATE OF THIS APPLICATION, HAS THE APPLICANT OR ANY PARTY TO THIS APPLICATION BEEN CONVICTED IN A FEDERAL, STATE, OR LOCAL COURT OF ANY CRIME FOR WHICH THE PENALTY IMPOSED WAS A FINE OF \$500 OR MORE, OR AN IMPRISONMENT OF 6 MONTHS OR MORE? (See instructions. If yes, attach a separate sheet giving details of each such conviction)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
9 SIGN AND DATE THE APPLICATION ON REVERSE SIDE			17 IF APPLICANT IS AN INDIVIDUAL OR A PARTNERSHIP, ARE YOU OR ANY PARTNER LESS THAN 18 YEARS OF AGE (LESS THAN 18 YEARS OF AGE IF FOR CLASS C STATION LICENSE)?		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
10 SIGNATURE AND DATE THE APPLICATION ON REVERSE SIDE			18 IF THE PRINCIPAL LOCATION WHERE THE STATION WILL BE USED IS DIFFERENT FROM THE MAILING ADDRESS (ITEM 3), GIVE THAT LOCATION. (DO NOT GIVE POST OFFICE BOX OR R.F.D. NO.) NUMBER AND STREET CITY STATE IF LOCATION CANNOT BE SPECIFIED BY STREET, CITY, AND STATE, GIVE OTHER DESCRIPTION OF LOCATION		YES <input type="checkbox"/>		NO <input checked="" type="checkbox"/>

DO NOT WRITE IN THIS BOX
SCHEDULING ☐ ☐ ☐
SIGNATURE ☐ ☐ ☐

IF APPLICANT IS A NONCORPORATE ORGANIZATION, ANSWER THE FOLLOWING ITEMS:		YES	NO
IS CORPORATION ORGANIZED UNDER LAWS OF ANY FOREIGN GOVERNMENT?			
IS ANY OFFICER OR DIRECTOR OF THE CORPORATION AN ALIEN?			
IS MORE THAN ONE-FIFTH OF THE CAPITAL STOCK EITHER OWNED OR CONTROLLED OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?			
IS APPLICANT DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER CORPORATION? (If yes, answer items B through K below)			
GIVE NAME AND ADDRESS OF CONTROLLING CORPORATION			
UNDER THE LAWS OF WHAT STATE OR COUNTRY IS THE CONTROLLING CORPORATION ORGANIZED?			
IS MORE THAN ONE-FOURTH OF THE CAPITAL STOCK OF CONTROLLING CORPORATION EITHER OWNED OR MAY IT BE VOTED BY ALIENS OR THEIR REPRESENTATIVES, OR BY A FOREIGN GOVERNMENT OR REPRESENTATIVE THEREOF, OR BY ANY CORPORATION ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY? (If yes, give details)			
IS ANY OFFICER OR MORE THAN ONE-FOURTH OF THE DIRECTORS OF THE CONTROLLING CORPORATION AN ALIEN? (If yes, answer items I and J below)			
TOTAL NUMBER OF DIRECTORS IN CONTROLLING CORPORATION			
LIST ALL OFFICERS AND DIRECTORS WHO ARE ALIENS IN CONTROLLING CORPORATION AND GIVE BRIEF BIOGRAPHICAL STATEMENT FOR EACH ALIEN.			
NAME	NATIONALITY	OFFICE HELD	
IS THE CONTROLLING CORPORATION IN TURN CONTROLLED BY OTHER COMPANIES? (If yes, attach information for each of these controlling companies covering the information requested in items B through J, above)			
		<input type="checkbox"/> YES <input type="checkbox"/> NO	

30. IF APPLICANT IS AN UNINCORPORATED ASSOCIATION, ANSWER THE FOLLOWING ITEMS:		YES	NO
A IS ANY OFFICER OR DIRECTOR OF THE ASSOCIATION AN ALIEN?			
B ARE MORE THAN ONE-FIFTH OF THE VOTING MEMBERS OF THE ASSOCIATION ALIENS OR REPRESENTATIVES OF ALIENS, FOREIGN GOVERNMENTS OR REPRESENTATIVES THEREOF, OR CORPORATIONS ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY?			
C IS THE ASSOCIATION DIRECTLY OR INDIRECTLY CONTROLLED BY ANY OTHER ORGANIZATION? (If yes, give detailed explanation)			
USE THIS SPACE FOR ANY ADDITIONAL INFORMATION OR REMARKS			

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

THE STATEMENTS MADE IN THE APPLICATION AND ATTACHED EXHIBITS ARE CONSIDERED MATERIAL REPRESENTATIONS, AND ALL THE EXHIBITS ARE
 PART HEREOF AND ARE INCORPORATED HEREIN AS IF SET OUT IN FULL IN THE APPLICATION.

The applicant has (or has ordered from the Government Printing Office) a current copy of Part 19 of the Commission's rules governing the Citizens Radio Service;

The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise;

The applicant accepts full responsibility for the operation of, and will retain control of any citizens radio station licensed to him pursuant to this application;

The station will be operated in full accordance with the applicable law and the current rules of the Federal Communications Commission;

The said station will not be used for any purpose contrary to Federal, State or local law;

The applicant will have unlimited access to the radio equipment and effective measures will be taken to prevent its use by unauthorized persons; and

The statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

**DO NOT OPERATE UNTIL YOU HAVE
YOUR OWN LICENSE.
USE OF ANY CALL SIGN NOT YOUR
OWN IS PROHIBITED.**

SIGNATURE: [Signature]
(Check appropriate box below):

☒ INDIVIDUAL APPLICANT☐ MEMBER OF APPLICANT PARTNERSHIP☐ OFFICER OF APPLICANT CORPORATION OR ASSOCIATION☐ OFFICIAL OF GOVERNMENTAL AGENCY

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the CHAIRMAN. Mr. Lackey, you have a perfect right to say, if it is true, that this application for a citizens band license was for the purpose of conducting your business. Is that true?

Mr. LACEY. I am sorry, sir, but I must stand on my position and respectfully decline to answer that question for the reasons as previously stated.

The CHAIRMAN. Then I must ask another question: Was the purpose of the application for the citizens band license because you intended to use it for Klan activities?

Mr. LACKEY. Again, Mr. Chairman, with all possible respect, I decline to answer that question for the reasons as previously stated.

Mr. APPELL. Mr. Lackey, did you know Mr. A. C. Herrington of the grand kleagle or the head organizer for the White Knights of Ku Klux Klan of Mississippi?

Mr. LACKEY. Mr. Chairman, I respectfully decline to answer the question for the reasons as previously stated, invoking the fifth amendment to the Constitution of the United States of America.

Mr. APPELL. Mr. Lackey, I put it to you as a fact, and ask you affirm or deny the fact, that he holds or has held that position.

Mr. LACKEY. Sir, I must, with all respect, decline to answer the question for the reasons as previously stated, sir.

Mr. APPELL. Mr. Lackey, I put it to you as a fact, and ask you affirm or deny the fact, that among the kleagles at large of the White Knights of Ku Klux Klan of Mississippi you knew the following kleagles:

Woody Mathews from Utica, Mississippi; the Reverend R. Boyte of Attala, Mississippi; Frank Breeland of Columbia, Mississippi; Ralph Edwards of Yazoo City, Mississippi; J. N. Fortener of Jackson, Mississippi; and Bill Sullivan of Pearl, Mississippi.

Mr. LACKEY. I most respectfully decline to answer that question for the reasons as previously stated, sir.

Mr. APPELL. Mr. Chairman, the staff has no further questions ask of this witness.

Mr. WELTNER. Mr. Chairman, I have some questions.

I notice this witness, according to this investigative report, was one of the drafters of the constitution of the White Knights of the Ku Klux Klan, and he has a high school education and for 5 years was intermittently enrolled in a college. For that reason, I would like to ask if you can explain one or two provisions of this constitution:

On page 12 of the constitution, Section 18, it sets forth the duties of the grand chaplain. It says:

The Grand Chaplain shall serve in the capacity of Christian advisor on questions of morals and idealistic Klavern conduct.

Then it states this, which I hope you can explain to me:

In cases of extreme penalties the advise [sic] of the Grand Chaplain shall be sought and considered.

As one of the drafters of this constitution, what would be an example of a case of extreme penalties?

Mr. LACKEY. Mr. Weltner, I respectfully decline to answer the question for the reasons as previously stated, sir.

Mr. WELTNER. On page 36, Mr. Lackey, of this constitution—it would like the chief investigator to provide Mr. Lackey with a copy of that constitution if there is any question of it—Section 5 reads as follows:

All Klan functions, regardless of time, place and manner, shall begin with prayer, and end with prayer to Almighty God.

I want to know if that was applied to the case of carrying out extreme penalties as provided in the preceding section?

Mr. LACKEY. Mr. Weltner, with all possible respect, I must decline to answer that question for the reasons as previously stated, invoking the fifth amendment to the Constitution of the United States of America.

Mr. WELTNER. Now if you will examine page 39, Amendment 2 of the original constitution. These amendments were passed on April 19, 1964, to become effective 30 days thereafter. It states:

No disciplinary cross shall be burned on private property without prior approval and investigation by the Province Investigators and Province Titan.

I would like you to tell the committee what is a disciplinary cross?

Mr. LACKEY. Sir, for the reasons as previously stated I must most respectfully decline to answer that question, sir.

Mr. WELTNER. I have no further questions, Mr. Chairman.

Mr. BUCHANAN. Mr. Chairman, I want to ask Mr. Appell, in describing Project 4, did you say extermination?

Mr. APPELL. Yes, sir.

Mr. BUCHANAN. Thank you.

The CHAIRMAN. The witness is excused.

The committee stands at recess until 2:15.

AFTERNOON SESSION—WEDNESDAY, JANUARY 12, 1966

(The subcommittee reconvened at 2:15 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis and Weltner.)

The CHAIRMAN. As chairman of the full Committee on Un-American Activities, I hereby constitute for the purpose of this afternoon's hearings the following subcommittee—myself as chairman, Mr. Weltner, and Mr. Buchanan. This means two constitute a quorum.

Let it be noted in the record that a quorum is present.

Call your first witness.

Mr. APPELL. Thomas Brock.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROCK. I do.

TESTIMONY OF THOMAS COLLINS BROCK, ACCOMPANIED BY COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY

Mr. APPELL. Will you state your full name for the record?

Mr. BROCK. Thomas Collins Brock.

Mr. APPELL. C-o-l-l-i-n-s?

Mr. BROCK. Yes.

Mr. APPELL. Last name, B-r-o-c-k?

Mr. BROCK. Right.

Mr. APPELL. Mr. Brock, are you appearing before the committee this afternoon in accordance with a subpoena served upon you by Investigator Sullivan of this committee on November 1, 1965?

Mr. BROCK. I am.

The CHAIRMAN. It is understood, attorneys for this witness, that this witness, Mr. Brock—and let us say all others you might represent, heard the opening statement I made outlining the purposes and objectives of these hearings?

Mr. BLACKWELL. I so stipulate.

Mr. APPELL. Mr. Brock, are you represented by counsel?

Mr. BROCK. Yes.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. Travis Buckley, attorney at law, Post Office Box 411. Bay Springs, Mississippi.

Mr. BLACKWELL. Charles Blackwell, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Brock, under the conditions of the subpoena served upon you, there was an attachment thereto made a part of the subpoena, and under the terms of it, it commanded you to bring with you and produce documents set forth in certain paragraphs.

Paragraph 1 reads:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely the Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as the present or past Chief Klubursar of the White Knights of the Ku Klux Klan of Mississippi.

Mr. Brock, in the representative capacity set forth in paragraph 1 of your subpoena, I ask that you produce those documents.

Mr. BROCK. I am sorry I cannot produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to any such records.

The CHAIRMAN. Do you understand that the subpoena is for you to bring the documents in your representative capacity and not as an individual, as though those documents pertain to your own affairs?

Mr. BROCK. Yes.

The CHAIRMAN. Are you now saying that in the capacity stated in the subpoena you do not now have, and have never had, possession, custody, or control of those documents and they never were available to you?

Mr. BROCK. No, sir; I didn't say that.

The CHAIRMAN. That is where we do not seem to understand each other.

What did you say?

Mr. BROCK. I stated that I could not produce such records as were ordered by this subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do have access to any such records.

The CHAIRMAN. I wish counsel could in a short way explain his client's position. If we could understand each other, I think we could move faster.

Mr. BUCKLEY. I think so too.

What he is saying is simply this, he cannot produce the records because it was not physically in his power to do so at the time the subpoena was issued to him requiring him to.

The CHAIRMAN. Were the documents in your possession at any time before the subpoena was issued upon you?

Mr. BROCK. Mr. Willis, sir, I respectfully decline to answer that question and I invoke as a defense the privileges guaranteed me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

The CHAIRMAN. Did you divest yourself of possession, custody, or control, or in any way make it impossible for you to produce those documents because you apprehended that you might be called upon to produce them by subpoena?

(At this point Mr. Buchanan entered the hearing room.)

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know who has possession of those documents?

Mr. BROCK. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you occupy a position before this subpoena was served upon you which required you to have possession of the documents, and either resigned or assumed another position whereby someone else would have to assume possession and custody or control and whereby you could transfer those documents to that individual?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did those documents ever exist?

Mr. BROCK. Sir, for the previous reasons already stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Brock, have you ever had in your custody, possession, or control the documents listed in the subpoena?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question. That is in article 1 and 2 as stated in the subpoena.

The CHAIRMAN. Is it not true that, having heard about the hearings some, some steps were taken to divest you of possession, custody, or control so you can now say what you are saying?

Mr. BROCK. Mr. Willis, sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I tell you, sir, since those documents were ordered to be produced by you in your representative capacity, I do not accept as valid the reasons you have given and, more properly, the reasons you are now giving as justifying your invocation of the constitutional provisions relied upon.

I now therefore order and direct you to produce them in the capacity indicated in the subpoena.

Mr. BROCK. Sir, I cannot produce such records by subpoena issued upon me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did you, or to your knowledge did anyone else, destroy the documents?

Mr. BROCK. Sir, for the previous reasons stated, I respectfully decline to answer that question.

The CHAIRMAN. I further tell you, in my opinion, having taken the way out in the self-serving manner you have indicated, I have a right to cross-examine you on that subject and therefore I ask you again: Did those documents exist at any time?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I think by opening the door in the self-serving manner you did in failing to enlighten the committee, it is obviously proper—I must, and now do, order you to answer that question.

Mr. BROCK. Sir, I respectfully decline for the reasons previously stated, and respectfully decline to answer that question.

The CHAIRMAN. Proceed, Mr. Appell.

It is understood he is under order both to answer questions and produce.

Mr. APPELL. Mr. Brock, on June 7, 1964, did you personally, using the hood of an automobile, give a receipt to a Klansman for the payment of funds which they owed to the White Knights of the Ku Klux Klan?

Mr. BROCK. Sir, I respectfully decline to answer that question and invoke the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. When and where were you born?

Mr. BROCK. Learned, Mississippi, January 19, 1917.

Mr. APPELL. January, Mr. Brock?

Mr. BROCK. June—I beg your pardon.

Mr. APPELL. Would you recite for the committee your educational background?

Mr. BROCK. I attended grade school at Lebanon. Three years at Raymond High School finishing my high school education, and just a month or two at junior college. I finished my high school work at Hines Junior, which at that time had high school work, and then continued about 2 months, I suppose, in college—Hines Junior College, Greenwood, Mississippi.

Mr. APPELL. Since 1960, what has been your employment background?

Mr. BROCK. Principally farming has always been my background.

Mr. APPELL. From what other sources have you received compensation?

Mr. BROCK. I served as justice of the peace a little over 2 years, I believe, and one full 4-year term.

The CHAIRMAN. Was that an elected position? Were you elected?

Mr. BROCK. Yes.

Mr. APPELL. Are you currently a justice of the peace?

Mr. BROCK. No, sir.

Mr. APPELL. What other sources of revenue have you had since 1960?

Mr. BROCK. I believe it was March 1, 1964, I started working for the Hines County Cooperative.

Mr. APPELL. Are you still employed by them?

Mr. BROCK. Yes.

Mr. APPELL. What other sources of revenue have you had since 1960?

Mr. BROCK. Other than maybe an oil lease—you know sometimes they come around and lease for oil—something of that nature, that about covers it.

Mr. APPELL. And that is all of the revenue that you have received from 1960?

Mr. BROCK. Yes, sir.

Mr. APPELL. Did you ever receive any revenue provided for by the White Knights of the Ku Klux Klan for any position that you held within that organization?

The CHAIRMAN. Let's make it plain, as I understand the question, he is asking you for revenues that you might have received as an officer, and I suppose that will be the next question. I do not know. Let it be understood right now that Mr. Appell is asking you, did you receive revenues provided for and which you were entitled to receive personally as a member of the Klan.

Mr. BROCK. Mr. Appell, would you mind repeating your question.

Mr. APPELL. Did you receive any revenue or income from the White Knights of the Ku Klux Klan?

The CHAIRMAN. Personally, and not in a representative capacity for the time being.

Mr. BROCK. No, sir.

Mr. APPELL. The constitution of the White Knights of the Ku Klux Klan provides for reimbursement of travel and meals of officials of that organization. Have you ever received such compensation?

The CHAIRMAN. Or reimbursement.

Mr. APPELL. Or reimbursement?

Mr. BROCK. No, sir.

The CHAIRMAN. Did you receive revenues—and I certainly do not know the answer to this question—as a member or as an official of the Ku Klux Klan which you, in turn, transmitted to someone else?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, I hand you a mimeographed form captioned at the top "Mississippi Constitutional Council." It provides that certain information be supplied: the unit number, county, district, subdistrict, and recruiter's number, and I ask you if that is a cover designation of the White Knights of the Ku Klux Klan, the Mississippi Constitutional Council?

Mr. BROCK. What does this represent? State your question again.

Mr. APPELL. I ask you after reviewing that form whether you know if the Mississippi Constitutional Council shown on the top of that document is the cover designation for the White Knights of the Ku Klux Klan of Mississippi?

The CHAIRMAN. Let me explain that so it will be perfectly clear to you.

We have evidence under oath in the record, in innumerable instances, to the effect that Klan organizations or Klaverns, in order to keep secret the fact they are Klan organizations, operate under assumed or cover names or under front names, and this is what this question is about.

Do you know whether or not the name indicated on that document is a cover name or an assumed name to indicate greater respectability for what is really a Klan organization?

(Document marked "Thomas Brock Exhibit No. 1" follows:)

MISSISSIPPI CONSTITUTIONAL COUNCIL

(Form # R - 1)

Previous Unit membership strength prior to this date ().

Member's

Number	SMALL	MEDIUM	LARGE	LID	*ENTRY FEE*	BOOK FEE *	NUMBER
--------	-------	--------	-------	-----	-------------	------------	--------

[illegible]

Total Members Recruited this Meeting	()
Previous Total Membership of Unit	{	}
Total Membership at Close of Meeting	()

Total Entry Fee Collected at this Meeting	(
Previous Total Entry Fees this Unit)
Total Unit Entry Fees To Date	

Total Book Fee Collected This Meeting
Previous Total Book Fee this Unit
Total Book Fee This Unit to Date

Unit President's (or O in C's) Number _____
District Bursar's Number _____
State Secretary's Number _____

Notes and Remarks

INSTRUCTIONS: A Copy of this Report together with the Proper total of All Entry Fees Listed herein must be in the Hands of the District Bursar within Fifteen (15) days following the Date of this report. The Local Unit Treasurer or Secretary will collect and hold all book fees until the State Librarian Delivers the books to the Unit. If a STATE Recruiter does the recruiting, he must make FOUR (4) copies of this Receipt Form, and leave ONE copy with the local unit for their records, and turn over ONE copy to the Bursar together with the proper amount of the total fees collected, and forward one copy to the State Secretary thru the proper Sub-District Secretary. All copies must be initialed with the number of each Officer who receives a copy. The State Secretary will then compile all pertinent information contained herein and forward copies to the President, the Vice-President, and the House Detective.

Mr. APPELL. Let the record show that the instructions contained at the bottom of this document as to how it should be executed and dis-

tribution made of it are instructions which are identical with those contained in the constitution as in response to the recruiting of new members.

Mr. Brock, commencing in February of 1964, did you become a klabursar of the White Knights of the Ku Klux Klan?

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, the constitution provides that there will be a board of five klabursars and with one elected by the five to be its chief.

Do you know Everett D. Wiggs of Woodland, Mississippi; Gordon Sykes of Greenville, Mississippi; Jack Williams of Pelahatchie, Mississippi; and Donald Elmer Henshaw of Laurel, Mississippi, to have been fellow klabursars with you?

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Did you attend a meeting of the White Knights of the Ku Klux Klan on June 7, 1964, near Raleigh, Mississippi, a rather large meeting at which some 300 Klansmen were present?

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, it was announced at that meeting that money collected by Donald Henshaw was to be turned over to you as the chief klabursar?

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, I put it to you as a fact, and ask you to affirm or deny the fact, that at that meeting held near Raleigh on June 7, 1964, a speech was made by the Imperial Wizard, Sam Bowers, and that in the course of this speech he urged members to obtain firearms, that he urged younger members to travel to assist law enforcement and emphasized that these members were to stay out of trouble until you catch them, referring to COFO [Council of Federated Organizations] workers, outside the law, and, he said, "then under Mississippi law you have the right to kill them."

Did you hear that speech made by Imperial Wizard Sam Bowers?

The CHAIRMAN. I am sorry, I did not hear the question.

Mr. APPELL. I asked the witness whether or not he was present at the meeting on June 7, 1964, and whether or not he heard a speech by the Imperial Wizard, Sam Bowers, in which the Imperial Wizard urged all members to obtain firearms and urged younger members to travel to assist law enforcement, and emphasized that they should stay out of trouble until you catch them, referring to COFO workers, outside the law and then under Mississippi law, according to the Imperial Wizard, "you have the right to kill them."

Mr. BROCK. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Did Mr. Bowers claim at that meeting that such a thing had happened at Old Miss and, as a result of it, some six United States marshals had been killed there, but the then Attorney General Kennedy was keeping it quiet?

Mr. BROCK. For the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, have you heard within the White Knights of the Ku Klux Klan Projects 1, 2, 3, 4 stemming from threatening telephone calls up to elimination or extermination of people?

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that Bowers at that speech made a report to the Klansmen that there were than 97 projects working which would be completed in the near future?

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Can you enlighten the committee as to the nature of any one of the 97 projects?

Mr. BROCK. For the reasons previously stated, sir, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, did you attend the meeting on November 15, 1964, near Brandon, Mississippi, at which there was discussed a moratorium on the third and fourth degree projects?

Mr. BROCK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, I put it to you as a fact, and ask you to affirm or deny the fact, that at that meeting Imperial Wizard Bowers reported that the White Knights of the Ku Klux Klan had incurred some \$19,000 in legal fees, including cash bail, and that the treasury had only \$18,500 and that, in addition, the State Treasury owed \$4,500 throughout the State, including \$500 to the Lauderdale Klavern.

Were you present—I put it to you as a fact and ask you to affirm or deny those facts.

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, did you attend a State meeting of the White Knights in Pearl River County on May 2, 1965?

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the various bursars were called upon to make a report at that meeting and it was reported that Judge Tommy Brock had \$2,100 on hand; that Vincent Purser from Gulfport had \$800; that Dewitt Sandifer, of Jayess, Mississippi, had \$350; and that Billy Buckles advised that Julius Harper had \$400; and that Billy Buckles also advised that the Greenwood Unit had \$1,000.

I put it to you as a fact and ask you to affirm or deny the fact.

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Brock, under the constitution certain financial records are maintained by the klabursars in order to assure the organization that money is not mishandled or that there is no malfeasance in office and other things. Therefore as the chief klabursar you maintained records. When did you dispose of those records?

Mr. BROCK. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. I call Mr. A. C. Herrington.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you shall give in this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HERRINGTON. I do, sir.

**TESTIMONY OF A. C. HERRINGTON, ACCOMPANIED BY COUNSEL,
TRAVIS BUCKLEY AND CHARLES G. BLACKWELL**

Mr. APPELL. Will you state your full name for the record, please?

Mr. HERRINGTON. A. C. Herrington. That is spelled H-e-r-r.

Mr. APPELL. You pronounce it Herrington?

Mr. HERRINGTON. Well, it is pronounced both ways now, H-a and H-e both down there.

Mr. APPELL. Mr. Herrington, are you appearing before the committee this afternoon in accordance with a subpoena served upon you by Investigator John D. Sullivan on November 4, 1965?

Mr. HERRINGTON. That is correct.

Mr. APPELL. Are you represented by counsel?

Mr. HERRINGTON. Yes, sir.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Herrington, under the terms of the subpoena served upon you and attachment thereto which is made part of the subpoena, you were called upon in part 1 to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely the Mississippi Constitutional Council in your possession, custody or control, or maintained by you or available to you as present or past Exalted Cyclops, King Kleagle or State Organizer of the White Knights, Ku Klux Klan of Mississippi.

Mr. Herrington, I request you to produce the documents in the representative capacity set forth in part 1 of the subpoena.

Mr. HERRINGTON. Sir, I cannot produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did you have possession, custody, or control or were they available to you in the representative capacity described in the subpoena, the documents called for in the subpoena at any time after March 30, 1965, when the committee announced that it would conduct these hearings?

Mr. HERRINGTON. No, sir.

The CHAIRMAN. Were those records to your knowledge destroyed, done away with in any way?

Mr. HERRINGTON. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Did you take any steps to divest yourself, or do you know whether anyone else took any steps to divest himself, of these documents so that you could take the position you are now taking today?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. You have refused to produce these documents on the grounds that you are unable to produce them because you have not had possession, custody, or control of them and they have not been available to you since you were served with this subpoena and since March 30, 1965.

Did you have possession, custody, or control of these records or were they available to you at any time?

Mr. HERRINGTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do these document called for in this part of the subpoena exist?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did they ever exist?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Where are they now?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Who has these documents now?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you taken the position you have because, as you stated, while you have not had possession, custody, or control in the capacity of the position you held or now hold with the White Knights of the Ku Klux Klan of Mississippi, you nevertheless had them as an official of that outfit under a cover or front name?

Mr. HERRINGTON. Sir, will you repeat the question, please?

The CHAIRMAN. I want to be sure about the situation. You said you did not have possession, custody, or control of these records; that they were not available to you; that you did not destroy them, and then proceeded to invoke the fifth amendment. I am now asking you whether you had custody, possession, or control of these documents not, for example, as king kleagle or State organizer for the White Knights of the Ku Klux Klan, but whether you held them as an official of a cover name or a front name for the White Knights of the Ku Klux Klan of Mississippi.

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Herrington, you stated that you have not had

possession of the documents mentioned in the subpoena since March 30, 1965. Is that correct?

Mr. HERRINGTON. Yes, sir; that is right.

Mr. WELTNER. Have you had possession of the documents, or any of the documents, mentioned in that subpoena subsequent to February 1, 1965, that date being the first date where there was public discussion of the possibility of investigating the Ku Klux Klan by this committee—February 1, 1965?

Mr. HERRINGTON. Sir, I have those mentioned in number 4 here, the 1045 mentioned.

Mr. WELTNER. I refer to the documents mentioned in paragraph 1—books, records, and documents pertaining to the White Knights of the Ku Klux Klan, the Mississippi Constitutional Council, particularly in a representative capacity.

My question was whether or not you had those documents in your possession at any time subsequent to February 1, 1965. You stated you have not had such documents subsequent to March 30, 1965.

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I will ask one more question. On March 17, this committee conducted an executive session in which the proposed investigation of the Ku Klux Klan was discussed. That meeting was duly reported in the press and given some degree of coverage.

I will ask you whether or not you have had in your possession between the dates March 17 and March 30 any of the documents mentioned in paragraphs 1 or 2 of that subpoena.

Mr. HERRINGTON. Would you repeat the dates, sir?

Mr. WELTNER. Bear in mind that you have testified under oath you have not had any of these documents since March 30, 1965. That was the date that this committee decided to conduct this investigation.

I asked you, first, whether or not you had any documents subsequent to February 1, 1965, which was the first time there was any widespread public discussion of an investigation of the Klan by this committee. You declined to answer that question on the grounds of the fifth amendment and others.

I stated to you then that on March 17 this committee met, and the indications apparently were in the press reports that there was going to be an investigation.

I want to know whether or not you had in your possession any documents identified in paragraphs 1 or 2 of the Mississippi White Knights or the Mississippi Constitutional Council subsequent to the date March 17.

Mr. HERRINGTON. 1955?

Mr. WELTNER. 1965.

Mr. HERRINGTON. No, sir.

Mr. WELTNER. You had not?

Mr. HERRINGTON. No, sir.

Mr. WELTNER. I have no further questions, Mr. Chairman.

Mr. APPELL. Mr. Herrington, in connection with your response to the production of records and your statement that you are powerless to do so, is any of your answer encompassed within an oath taken by members of the Ku Klux Klan, White Knights of the Ku Klux Klan of Mississippi, which states that:

I swear that I will never be the cause of a breach of secrecy or any other act which may be detrimental to the integrity of the White Knights of the Ku Klux Klan of Mississippi.

Mr. HERRINGTON. Sir, to the best of my knowledge I have told the truth and nothing but the truth on this stand.

Mr. APPELL. Mr. Herrington, the committee's investigation established that you held the position of Klan kleagle for the White Knights of the Ku Klux Klan in Mississippi. Is the committee's information factual?

Mr. HERRINGTON. Sir, for the reason previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, at the meeting near Raleigh, Mississippi, on June 7, 1964, it was announced that the White Knights of the Ku Klux Klan had organized 62 Klaverns in 82 Mississippi counties. Is that information factual?

Mr. HERRINGTON. Sir, for the reason previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, the committee's investigation established that, at that meeting of June 7 there was handed out to some 300 Klansmen present a document headed "Harrasment." I hand you a reproduction of a leaflet and ask you if you have ever seen this document, sir.

In looking at that, Mr. Herrington, I would like to explain to you that this is a mimeographed reproduction on both sides of one sheet. In our making a copy it was impossible to reproduce it all on one sheet of paper, so it is on two sheets of paper.

Mr. HERRINGTON. Sir, for the reason previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, I ask permission to put this document in the record.

The CHAIRMAN. It has been put in, and all documents which might have been commented on, handed to, or exhibited to the witness will, as usual, be inserted in the record at the respective points.

(Document previously marked "James Jones Exhibit No. 34." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 172-173.)

Mr. APPELL. Mr. Chairman, while the entire document is in the record I would like to call the attention of the committee to one paragraph of this document which relates to some equipment which may be found useful in harassment:

(1) Roofing nails; (2) sugar and molasses; (3) firecrackers, (4) snakes and lizards; (5) mad dogs; (6) itching powder; (7) stink bombs; (8) tear gas; (9) paint; (10) lacquer thinner; (11) slingshots, marbles, BB guns, air rifles, bow and arrow, cross bows; (12) blank cartridges and pistols; (13) Roman candles; (14) sky rockets; (15) salt and pepper; (16) noisemakers.

The CHAIRMAN. Mr. Appell, those were recommended acts of harassment?

Mr. APPELL. Instruments which may be used in carrying out acts of harassment described in this document.

The CHAIRMAN. Going beyond that, what does the other document say about the four steps and the procedure of this organization?

Mr. APPELL. We had testimony under oath, Mr. Chairman, that within the White Knights of the Ku Klux Klan they operated with

four projects: Project No. 1, threatening telephone calls or visits; 2, burning of a cross, usually on property of an individual, private property; 3, beating or flogging, burning of property, wild shooting into property, and bombing; 4, extermination.

The CHAIRMAN. Proceed.

Mr. Herrington, did you participate in any of these acts of harassment outlined in the list which Mr. Appell read?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you participate in any of the four steps outlined by Mr. Appell as having been disclosed to this committee under oath?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I would like to ask a question from this document. A portion of this document, Mr. Herrington, states, that:

As far as our immediate work is concerned, harassment fulfils two important goals: 1. It provides a healthy, not-too-dangerous outlet for the Spirited Enthusiasm of the Membership and trains them to work together. If successful, it boosts morale.

I want to ask you, Mr. Herrington, whether you think the use of mad dogs and tear gas is a healthy, enthusiastic outlet?

Mr. HERRINGTON. Sir, could you be more specific?

Mr. WELTNER. Yes, sir. I will ask the investigator to hand to the witness a copy of this document so that he might have it in his hand and follow the portion from which I read.

Mr. Herrington, if you will look at the third paragraph it states:

As far as our immediate work is concerned, harassment fulfils two important goals: 1. It provides a healthy, not-too-dangerous outlet for the Spirited Enthusiasm of the Membership and trains them to work together. If successful, it boosts morale.

Then at the bottom of the first page of the document, some equipment which may be found useful in harassment is listed. Then there are 16 different items. Two of those are mad dogs and tear gas.

My question to you is this: Do you feel that the use of mad dogs and tear gas in harassing other persons is a healthy, not-too-dangerous outlet for spirited enthusiasm?

Mr. HERRINGTON. No, sir, I don't think it is.

Mr. WELTNER. Look at that list there and tell me whether you feel that any of these 16 items constitute a healthy, not-too-dangerous outlet for spirited enthusiasm.

Mr. HERRINGTON. No, sir; I do not.

Mr. WELTNER. You are stating under oath now that not a single one of these recommended items of equipment is really a healthy outlet for enthusiasm?

Mr. HERRINGTON. Sir, within a rule I state that I see no use in them.

Mr. WELTNER. Look on the second page, there. It states:

In addition to the regular equipment herein [sic] listed, the proper use of the Telephone must be given tremendous weight as an effective means of harassment. * * *

I would like to ask you whether or not you feel that the telephone is a proper instrument for harassing others.

Mr. HERRINGTON. No, sir, I cannot see how it would be.

Mr. WELTNER. Have you ever seen this document before?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Herrington, on page 2, the fourth paragraph of the document begins as follows—I refer to the fourth full paragraph:

It must always be remembered that ours is a Nocturnal Organization. We work best at night and our greatest victories will be achieved at night.

Then it says:

Cameras do not work so well at night. We must harass the enemy at night, and, in general have little or nothing to do with him in the daytime. * * *

What victories are referred to in that statement? What is the meaning of "our greatest victories" where it states, "We work best at night"?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I have just one more question. I would like you to take just a few seconds to glance through this document because I would like to ask you this:

On page 1, the second paragraph, it states:

In general, harassing should always have a humorous twist to it and should be in the nature of Halloween Pranks. * * *

That is the first line of the second full paragraph. Then you will see the type of harassment recommended.

Do you feel that harassment such as indicated in here constitutes a proper course of conduct for any organization in the United States?

Mr. HERRINGTON. Sir, in my opinion, no, sir.

Mr. WELTNER. Do you see anything humorous about a series of acts of harassment such as indicated in this document?

Mr. HERRINGTON. No, sir.

Mr. WELTNER. Have you ever engaged in any acts of harassment such as indicated in this document?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Herrington, in response to my question of whether you ever engaged in any acts of harassment, I want to ask you this: Have you ever engaged in any acts of harassment as indicated in this document subsequent to March 30, 1965? That is the date this committee resolved to conduct this investigation.

Mr. HERRINGTON. No, sir.

Mr. WELTNER. May I ask whether or not you have engaged in any such acts of harassment subsequent to February 1, 1965?

Mr. HERRINGTON. Would you repeat that, sir?

Mr. WELTNER. Yes, sir. This is the same series of questions in an effort to fix the base involved here. We asked you about March 30 because that is the date this committee undertook to conduct this investigation. February 1 was the first date there was any widespread discussion of the possibility of an investigation by this committee.

I am merely trying to get some idea here about activity with relation to these two things.

You stated that subsequent to March 30 you have not engaged in any acts indicated in this document. You have stated that under oath.

I will ask you the same question—have you engaged in any such acts of harassment as indicated in this document subsequent to February 1, 1965?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Herrington, I have just one more question for you. On this date, January 12, 1966, are you now a member of any Klan organization?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused unless Mr. Appell has further questions.

Mr. APPELL. Mr. Chairman, I think the record reads that the witness declined to answer the question. I think that the witness intended to state the grounds previously stated. I don't want the record to be confused if this is what the witness intended.

Mr. BUCKLEY. Would you like him to answer the question again?

Mr. WELTNER. I will repeat the question.

Mr. Herrington, are you now on this date, January 12, 1966, a member of any Ku Klux Klan organization?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, on September 20, 1964, did you attend a State executive meeting of the White Knights of the Ku Klux Klan at which bombings and burnings were discussed?

Mr. HERRINGTON. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that in the course of this discussion the position taken by yourself was that you opposed church bombings unless COFO workers were present, and Ernest Gilbert favored throwing heathens out, but he opposed burnings or bombings; that the Grand Dragon, Harper, was against burnings; that the Grant Giant, Buckles, and the Imperial Wizard, Bowers, expressed the same views that you expressed?

Mr. HERRINGTON. Sir, for the reason previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, on September 28, 1964, did you meet with representatives of the Pike County group of the United Klans of America who were discussing with you their desire to get a case of dynamite, some nitroglycerin, and hand grenades?

Mr. HERRINGTON. Sir, for the reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Herrington, have you ever made a statement to law enforcement agencies in Mississippi that you have never been a member of the Ku Klux Klan?

Mr. HERRINGTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Herrington, in June of 1964 did you assist Thomas B. Thrasher in establishing a Klavern of the White Knights of the Ku Klux Klan at Pascagoula, Mississippi, which was comprised mostly of employees of the Ingalls Shipyard?

Mr. HERRINGTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask this witness.

The CHAIRMAN. The witness is excused. Call the next witness.

Mr. APPELL. Mr. Byron de la Beckwith.

The CHAIRMAN. Will you raise your right hand? You solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DE LA BECKWITH. I do, sir.

**TESTIMONY OF BYRON DE LA BECKWITH, ACCOMPANIED BY
COUNSEL, TRAVIS BUCKLEY AND CHARLES G. BLACKWELL**

Mr. APPELL. State your full name for the record.

Mr. DE LA BECKWITH. Byron de la Beckwith, sir.

Mr. APPELL. You are appearing in accordance with a subpoena served on you on November 19, 1965, by John D. Sullivan, an investigator of this committee?

Mr. DE LA BECKWITH. Yes, sir.

Mr. APPELL. When and where were you born, Mr. de la Beckwith?

Mr. DE LA BECKWITH. I was born in Sacramento, California, November 9, 1920, sir.

Mr. APPELL. Are you represented by counsel?

Mr. DE LA BECKWITH. I am, sir.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. BLACKWELL. And I am Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. de la Beckwith, under the conditions of the subpoena served upon you and the attachments thereto, you were ordered and directed to bring with you, under part 1:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the Knights of the Ku Klux Klan and affiliated organizations, namely the Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as a present or past member of the White Knights of the Ku Klux Klans of Mississippi, also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

In your representative capacity as a member of that organization, I ask you to produce any documents in your possession.

Mr. DE LA BECKWITH. Sir, in answer to your question, I could not produce such records as those ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did you have possession, custody, or control or were they available to you in the representative capacity described in the subpoena, the documents called for in the subpoena at any time after March 30, 1965?

Mr. DE LA BECKWITH. No, sir.

The CHAIRMAN. Did you have such possession, custody, or control or were such records at any time available to you since February 1, 1965?

Mr. DE LA BECKWITH. No, sir.

The CHAIRMAN. Did you take any steps, alone or with others, to divest yourself of such possession, custody, or control or to see to it that they were no longer available to you so that you could take the stand and testify as you have testified thus far?

Mr. DE LA BECKWITH. No, sir.

The CHAIRMAN. Do these documents called for in this part of the subpoena referred to exist?

Mr. DE LA BECKWITH. Is that all, sir?

The CHAIRMAN. Yes.

Mr. DE LA BECKWITH. Sir, I respectfully decline to answer that question and invoke as a defense the privilege granted to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America, sir.

The CHAIRMAN. Did they ever exist?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

The CHAIRMAN. Where are they now?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

The CHAIRMAN. Who has these documents now?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

The CHAIRMAN. Did you do anything to permit yourself to be divested of these records? For example, did you by arrangement of any kind place them anywhere so that a third party could assume possession, custody, and control of them?

Mr. DE LA BECKWITH. No, sir.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. de la Beckwith, would you give us your educational background?

Mr. DE LA BECKWITH. Yes, sir. I attended grade school in Greenwood; prep school in Tennessee; graduated from Greenwood High School and attended one semester at Mississippi State, sir.

Mr. APPELL. When did you complete your semester at Mississippi State?

Mr. DE LA BECKWITH. In 1941, I believe; yes, sir.

Mr. APPELL. Did you have military service, sir?

Mr. DE LA BECKWITH. Yes, sir.

Mr. APPELL. What was your military record?

Mr. DE LA BECKWITH. I was a member of the United States Marine Corps 4 years at Guadalcanal and Tarawa. I was wounded at Tarawa and received an honorable discharge and returned to civilian life in 1946.

Mr. APPELL. What has been your employment background since 1960?

Mr. DE LA BECKWITH. Sir, for many years I was a salesman with a wholesale tobacco firm in Greenwood, Mississippi, and in the past 3 years I have been a salesman for a dealer in liquid-mixed fertilizers, chemical fertilizers.

Mr. APPELL. Is that the Delta Liquid Plant Food Company in Greenwood?

Mr. DE LA BECKWITH. The Delta Liquid Plant Food Company, Inc., of Greenville, Mississippi.

Mr. APPELL. Is that whom you are employed by now?

Mr. DE LA BECKWITH. Yes, sir.

Mr. APPELL. Mr. de la Beckwith, do you know the witness who preceded you to the stand this morning, Gordon Lackey?

Mr. DE LA BECKWITH. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. Did Mr. Lackey recruit you into membership in the White Knights of the Ku Klux Klan in August 1965?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. Mr. de la Beckwith, were you in the room this morning when I described to Mr. Lackey the incident whereby the rental property of Mr. M. F. White which had been recently painted had been defaced by the spraying of a black line around that property?

The CHAIRMAN. I understand the simple question is, Was he in the hearing room?

Mr. DE LA BECKWITH. Yes, sir; I was here, sir.

Mr. APPELL. Did you assist in the act of defacing that property?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. Mr. de la Beckwith, in the early morning hours of March 5, 1965, 11 quart beer bottles filled with gasoline, with rags held into them by 2-inch machine bolts, were thrown at the property of Laura McGee of Greenwood, Mississippi. Do you possess any knowledge of that, sir?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. Mr. de la Beckwith, on August 8, 1965, did you attend a State klonvocation of the White Knights of the Ku Klux Klan held off Elden Road in Jackson, Mississippi?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. At that time were you appointed a kleagle or organizer for the White Knights of the Ku Klux Klan?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. If you did not violate the constitution of the White Knights of the Ku Klux Klan, why is it you have not had in your possession since March 30, 1965, the documents called for in the subpoena?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. Have you recently attended several rallies of the United Klans of America?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. Are you currently a member of any Ku Klux Klan organization?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. I have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. Mr. de la Beckwith, you appear to be a man of intelligence and you attended for at least one semester a university. Would you care to describe the objectives, purposes, and programs of the Ku Klux Klan organization?

Mr. DE LA BECKWITH. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

The CHAIRMAN. The Chair announces that it is the committee's view that it would not be proper to go into matters in which this witness might have been involved as a principal but which have not been finally resolved.

Mr. DE LA BECKWITH. I certainly appreciate that courtesy; thank you, sir.

The CHAIRMAN. The Chair was referring to criminal matters and I must say to the witness that we appreciate his expression, but we have taken that attitude because of our own determination of the propriety of our inquiry.

The witness is excused.

Call the next witness.

Mr. APPELL. Mr. Mordaunt Hamilton.

The CHAIRMAN. Please raise your right hand. You solemnly swear, sir, the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAMILTON. I do.

TESTIMONY OF MORDAUNT HAMILTON, ACCOMPANIED BY COUNSEL, TRAVIS BUCKLEY AND CHARLES G. BLACKWELL

Mr. APPELL. Mr. Hamilton, will you state your full name for the record, please?

Mr. HAMILTON. Mordaunt Hamilton.

The CHAIRMAN. And that is spelled M-o-r-d-a-u-n-t?

Mr. HAMILTON. Correct, sir.

Mr. APPELL. Mr. Hamilton, you are appearing today in accordance with a subpoena served upon you on October 27, 1965, by Investigator John D. Sullivan at the Polk Hardware Company in Hattiesburg, Mississippi?

Mr. HAMILTON. That is correct, sir.

Mr. APPELL. Are you represented by counsel?

Mr. HAMILTON. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record, please?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. BLACKWELL. I am Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Hamilton, under the conditions of the subpoena served upon you and the attachment thereto which was made a part of the subpoena, it calls for in paragraph 1 your production of:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the Invisible Empire,

United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan, and affiliated organizations, namely, the Alabama Rescue Service, also the White Knights of the Ku Klux Klan of Mississippi and the Mississippi Constitutional Council in your possession, custody or control, or maintained by you or available to you as present or past member of the Invisible Empire, United Klans, Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan and the White Knights of the Ku Klux Klan of Mississippi.

In your representative capacity as a member of that organization. I ask you to produce any documents in your possession.

Mr. HAMILTON. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did you have possession, custody, or control, or were they available to you in the representative capacity described in the subpoena, the documents called for in the subpoena, at any time after March 30, 1965?

Mr. HAMILTON. No, sir.

The CHAIRMAN. Did you have any such possession, custody, or control or were those records available to you at any time since February 1, 1965?

Mr. HAMILTON. No, sir.

The CHAIRMAN. Do these documents called for in the subpoena exist?

Mr. HAMILTON. Sir, I respectfully decline to answer that question and invoke as a defense the privileges granted to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Did they ever exist?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Where are they now?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Who has those documents?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you take any steps, alone or with others, to divest yourself of those records so that you could assume the position and testify in the way you are now testifying?

Mr. HAMILTON. No, sir.

The CHAIRMAN. Did you permit that to occur in any way? For example, did you by arrangement, or otherwise, with other parties place them anywhere so that you would know that you had been divested of them?

Mr. HAMILTON. No, sir.

The CHAIRMAN. Have you ever had those documents in your possession, custody, or control?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. When was the last time you had them?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I don't catch, but we will see. Proceed.

Mr. HAMILTON. Sir?

The CHAIRMAN. I don't catch, but we will see. Proceed.

Mr. APPELL. When and where were you born, Mr. Hamilton?

Mr. HAMILTON. I was born in Forrest County, Mississippi.

Mr. APPELL. When?

Mr. HAMILTON. February 6, 1908.

Mr. APPELL. Where do you presently reside?

Mr. HAMILTON. 711 South Main Street, Petal, Mississippi, an unincorporated community in Forrest County, Mississippi.

Mr. APPELL. That is P-e-t-a-l?

Mr. HAMILTON. That is right, sir.

Mr. APPELL. Would you briefly give the committee your educational background?

Mr. HAMILTON. I finished high school at East Forrest Consolidated School, Forrest County, Mississippi.

Mr. APPELL. What year was that, sir?

Mr. HAMILTON. 1928, I believe, sir.

Mr. APPELL. Since 1960 would you give the committee a brief résumé of your employment background?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. What was that question? Was it about his educational background?

Mr. APPELL. His employment background since 1960.

The CHAIRMAN. All right.

Mr. APPELL. I give it to you as a fact, and ask you to affirm or deny the fact, that you do business in the name of the Polk Hardware Company, 116 Market Street, Hattiesburg, Mississippi.

Mr. HAMILTON. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, do you know Sam Holloway Bowers, Jr., the Imperial Wizard of the Ku Klux Klan?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, toward the end of 1964 or early 1965, did the Forrest County Klavern hold a meeting in a barn owned by you in Petal, Mississippi?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that both Imperial Wizard Bowers and Travis Ainsworth of the White Knights attended that meeting and you pulled a gun on them, relieved them of their guns, and told them they could not leave the meeting until they had repaid some money which had been turned over to Ainsworth in connection with the purchase of Klan robes.

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that on January 25, 1965, Bowers, accompanied by some of his Klansmen, came to your area to get revenge and left

advised by one of your Klansmen that if Bowers wanted to get you he would have to come after you?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, I put it to you as a fact, and ask you to affirm or deny the fact, that doing business as the Polk Hardware Company you possess a Federal firearms control gun license?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I ask you if you have sold weapons, pistols, rifles, and ammunition to individuals you know to be members of Klan organizations?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, do you know the Reverend Robert L. Beech of Hattiesburg, Mississippi?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On 10-3-64 did you assault the Reverend Beech when he came into your hardware store for the purpose of purchasing a stepladder?

Mr. HAMILTON. Sir, would you repeat that question for me?

Mr. APPELL. On October 3, 1964, did you assault the Reverend Robert L. Beech when he came into the Polk Hardware Store for the purpose of purchasing a stepladder?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, was the assault upon Reverend Beech in any way related to your membership in the Ku Klux Klan?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, on January 23, 1965, were you charged with assault and battery and fined \$25? On January 25, 1965, were you charged with assault and battery? On February 4, 1965, were you charged with assault and battery? And on August 10, 1965, did you assault and strike David Nesmith? Were all these assaults I have referred to, Mr. Hamilton, due to your affiliation with Klan organizations?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. After the assault upon Imperial Wizard Bowers, did you take the Forrest County Klavern out of the White Knights of the Ku Klux Klan and affiliate with the United Klans of America?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you currently a member of the United Klans of America?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, the committee's investigation indicates you served as exalted cyclops of the Forrest County Klavern. Is that information correct?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Hamilton, were you aware of the fact that orders are issued by Imperial Wizard Bowers that the purchase of guns from Hamilton had been canceled?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Hamilton, it has come to my attention that the assaults mentioned by Mr. Appell were, in fact, connected with Klan activities. Is that true or not?

Mr. HAMILTON. Sir, for the reasons previously stated, I respectfully decline to answer that question, sir.

Mr. APPELL. I have no further questions.

The CHAIRMAN. The witness is excused.

Mr. APPELL. Donald Leo Mathieu.

Mr. BUCKLEY. When the witness is excused, he is finally excused?

The CHAIRMAN. Yes.

Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MATHIEU. Yes.

TESTIMONY OF DONALD LEO MATHIEU, ACCOMPANIED BY COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY

Mr. APPELL. State your full name for the record, Mr. Mathieu.

Mr. MATHIEU. Donald Leo Mathieu.

Mr. APPELL. Are you appearing here in accordance with a subpoena served upon you on October 28, 1965?

Mr. MATHIEU. Yes, sir.

The CHAIRMAN. Are you represented by counsel?

Mr. MATHIEU. Yes.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. BLACKWELL. Charles Blackwell, Laurel, Mississippi.

Mr. APPELL. Mr. Mathieu, when and where were you born?

Mr. MATHIEU. In Pascagoula, Mississippi.

Mr. APPELL. When?

Mr. MATHIEU. In Jackson County, February 10, 1931.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. MATHIEU. I have a seventh grade education.

Mr. APPELL. Would you give the committee the benefit of your employment background since 1960?

Mr. MATHIEU. Yes, sir.

I worked at the Ingalls Shipbuilding Corporation for approximately 2 years. I then worked for John I. Walker Shipbuilding Corporation with Western Geophysical.

Mr. APPELL. Mr. Mathieu, you are appearing here in accordance with a subpoena served upon you on October 28, 1965, at 2438 Ken Avenue, Pascagoula, Mississippi?

Mr. MATHIEU. Yes, sir.

Mr. APPELL. At the time you were served with the subpoena, did you admit to Investigator Sullivan sitting to my right that you had been a member of the White Knights of the Ku Klux Klan?

Mr. MATHIEU. I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Did you know Burrell Lindsey White to be the exalted cyclops of your Klavern?

Mr. MATHIEU. For reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you attended only two meetings of the White Knights of the Ku Klux Klan. At the second meeting you paid your \$10 initiation fee and you attended no further meetings because you were advised that as a Klansman, if you were ordered to kill someone by a Klan official, that you would have to do so as a good Klansman.

The CHAIRMAN. Mr. Mathieu, the question is, Did you say that?

There is no trick in this question. I might tell you, as I understand the further part of that statement, you probably had left the Klan. You know you can say that if that is true.

I will be perfectly frank with you, it was the hope of this committee that you would say "yes" to these questions, that you quit the Klan because you said if you were ordered to kill someone by a Klan official, you would have to do that and you did not care to do such an act.

Do not be afraid to answer that if that is true.

Mr. WELTNER. Before he answers the question, I would like to state also that I am advised that this committee has no information concerning any acts of violence or any breaches of order on the part of this witness; that there is nothing in the investigative files to date concerning him that indicates any more than attendance at one or two meetings.

I make this statement simply in connection with what the chairman stated. Apparently this witness almost got in, and got out in a hurry. Possibly the chairman will want the investigator to rephrase the question at this point.

Mr. APPELL. Mr. Mathieu, I put it to you as a fact, and ask you to affirm or deny the fact, that you attended only two meetings of the White Knights of the Ku Klux Klan held at Lightsey's Cabins in the summer of 1964; that at the second meeting you paid a \$10 initiation fee; and that you attended no further meetings because you were informed by Klansmen that if you were ordered to kill someone by Klan officials, you would have to do it as a good Klansman.

Mr. MATHIEU. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. What I have now asked you under oath has been asked you by law enforcement officials not under oath, and I ask you if, when you gave them the information that I now just stated to you, you were telling the truth.

Mr. MATHIEU. For reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. In light of the position taken by the witness, I have no further questions to ask.

Mr. WELTNER. Mr. Mathieu, has any member of the Klan intimidated you or made any indications to you about any results that might occur if you came here and testified voluntarily?

Mr. MATHIEU. No, sir; no one has tried to intimidate me.

Mr. WELTNER. Mr. Mathieu, following that along, do you have any fears that if you were to testify fully in response to the questions put to you, there might be some unpleasant result from members of the Klan?

Mr. MATHIEU. No, sir.

Mr. WELTNER. And the only reason you refuse to answer the question is on the constitutional grounds stated?

Mr. MATHIEU. Will you repeat the question?

Mr. WELTNER. The only reason you have for refusing to answer the questions is on the constitutional grounds that you have previously stated?

Mr. MATHIEU. Yes, sir.

The CHAIRMAN. The witness is excused.

The committee stands in recess until 10:45.

(Subcommittee members present at time of recess: Representatives Willis and Weltner.)

(Whereupon, at 4:45 p.m., Wednesday, January 12, 1966, the subcommittee recessed, to reconvene at 10:45 a.m., Thursday, January 13, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

THURSDAY, JANUARY 13, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities, as reconstituted for the January 13 hearings, met, pursuant to recess, at 11:15 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Charles L. Weltner, of Georgia; and Del Clawson, of California.)

Subcommittee members present: Representatives Willis, Weltner, and Clawson.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will please come to order.

The Chair wishes to make this brief announcement: At a meeting of the full committee this morning, the members present unanimously approved the recommendations of two subcommittees that certain persons be cited for contempt of Congress. The recommendations by the subcommittees, unanimously approved by the full committee, concerned the following:

That Dr. Jeremiah Stamler, Yolanda Hall, and Milton Cohen, who were witnesses subpoenaed in hearings held in Chicago last May and who refused to testify, walking out of the hearing room without being excused from the subpoena and in the defiance of directions to the contrary, be cited for contempt of Congress.

A second action of the full committee unanimously approved the recommendation of this subcommittee, made last week, that Robert M. Shelton, James R. Jones, Robert E. Scoggin, Calvin F. Craig, Marshall R. Kornegay, George F. Dorsett, and Robert Hudgins, who, as previously outlined, all hold high offices in klanism, likewise be cited for contempt.

Incidentally, I, as chairman, was directed to take the usual course of action to bring this matter to the floor of the House and that will be done as expeditiously as possible.

Mr. Appell, call your first witness.

Mr. APPELL. Louis Anthony DiSalvo.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DiSALVO. I do.

The CHAIRMAN. I, as chairman of the full committee, hereby constitute as a subcommittee for the purpose of the hearings today three members as follows: Myself as chairman, Mr. Weltner, and Mr. Clawson, as members.

Let the record show that the full subcommittee is present now and that two will constitute a quorum for the purpose of today's hearings.

Now, please be sworn.

Mr. DiSalvo, do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DiSALVO. I do, sir.

TESTIMONY OF LOUIS ANTHONY DISALVO

Mr. APPELL. Mr. DiSalvo, will you state your full name for the record?

Mr. DiSALVO. Louis Anthony DiSalvo.

Mr. APPELL. How do you spell your last name?

Mr. DiSALVO. D-i-S-a-l-v (as in victory) -o.

Mr. APPELL. Mr. DiSalvo, are you appearing before the committee this morning in accordance with a subpoena served upon you in your barber shop in Waveland, Mississippi, by Investigator Sullivan of this committee on October 28, 1965?

Mr. DiSALVO. Yes, sir, I am.

Mr. APPELL. Are you represented by counsel?

Mr. DiSALVO. No, sir, I am not.

Mr. APPELL. Do you desire counsel?

Mr. DiSALVO. No, sir.

The CHAIRMAN. Mr. DiSalvo, I want to inform you that, although you are not represented by an attorney, you have the right, which will be respected as though you had a lawyer, to invoke the fifth amendment and we will recognize your invocation, if you decide upon that course.

I am quite sure you were in the hearing room when previous witnesses were asked whether they were familiar with the opening statement I made last October 19, which outlined the reasons for the purposes of these hearings. You are generally familiar with that: are you not?

Mr. DiSALVO. Yes, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. As a matter of fact, Mr. DiSalvo, a mimeographed copy of the pertinent portions of the chairman's opening statement was given you when you arrived in Washington in accordance with this subpoena?

The CHAIRMAN. That is correct, is it?

Mr. DiSALVO. That is right, sir.

Mr. APPELL. Mr. DiSalvo, under the terms of the subpoena and an attachment thereto which was made a part of the subpoena, you were ordered under paragraph 1 to bring with you and to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, also the complete records of your buying and selling of firearms and the Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as member or officer of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in your subpoena, Mr. DiSalvo, I ask you to produce the documents called for.

Mr. DiSalvo. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in a subpoena dated October 6, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States, and I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 6, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor in such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8 adopted January 4, 1965.

The CHAIRMAN. Mr. DiSalvo, just as a matter of comment, I recognize the wording of your refusal to produce these documents as being a form which has been recommended to his clients by Mr. Chalmers and I notice that you do not rely on the fact that these documents are not, and never have been, in your possession and control as some others have said.

Now, you do not have a lawyer, but let me explain this to you. This subpoena calls upon you to produce documents in your representative capacity and not in your individual capacity. In other words, it does not call upon you to produce, for example, items such as your own personal income tax and your own personal papers. It calls upon you to produce documents that came into your possession and custody as an official or whatever representative capacity you had with Ku Klux Klan activities.

You understand the difference, do you?

Mr. DiSalvo. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Well, you could have safely said that you understood the difference because that is the course of action Mr. Chalmers represented to his clients. But since you invoke the constitutional privileges, I again tell you that you are being asked to produce documents in your representative capacity and, since the subpoena calls upon you to produce documents in your representative capacity, we do not accept as valid the grounds which you have relied on for failure to produce them. That being the case, I order and direct you to produce them.

I say to you, though I see you are intelligent and probably know it already, if you wish, you have the right, again, to not carry out my order and direction. I order and direct you to produce the documents.

Mr. DiSALVO. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in its subpoena dated October 6, 1965, for the reason that I honestly feel that to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America, and I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 6, 1965, for that information is not relevant or germane to the subject under investigation and the same would not aid the Congress in the consideration of any valid remedial legislation, nor in such way inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8 adopted January 4, 1965.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. DiSalvo, I suggest to you—and I do not ask you to do, but just suggest to you—that with respect to additional documents which you are called upon to produce, if you desire to use those reasons, this committee will accept all of those reasons by a reply on your part that you refuse to produce for the reasons previously stated.

Paragraph 2 calls upon you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as member or officer of the White Knights of the Ku Klux Klan, which the "Constitution and Laws" of the said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

In the representative capacity set forth in paragraph 2, Mr. DiSalvo, I ask you to produce the documents called for in paragraph 2.

Mr. DiSALVO. I respectfully decline to answer on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask for a direction.

The CHAIRMAN. Mr. DiSalvo, for the reasons I gave a while ago. I order and direct you to produce.

Mr. DiSALVO. I respectfully decline to answer on the grounds previously stated.

The CHAIRMAN. You mean, you respectfully decline to produce the documents on the grounds previously stated. That is what you mean?

Mr. DiSALVO. I respectfully decline to deliver to the committee any and all documents as demanded by the committee in the subpoena dated October 6, 1965, for the reason that I honestly feel to do so might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America, and I respectfully decline to deliver to the committee any and all records as requested by this committee under subpoena dated October 6, 1965, for that information is not relevant and germane to the subject under investigation and the same will not aid the Congress in consideration of any valid remedial legislation, nor

with such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress, by House Resolution 8 adopted June 4, 1965.

Mr. APPELL. Mr. DiSalvo, paragraph 4 calls upon you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control or maintained by you, which in any way refer to the purchase or sale of firearms.

Mr. DiSALVO. I respectfully decline to answer and deliver on the grounds previously stated.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to produce those documents called for in paragraph 4.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. DiSalvo, when and where were you born?

Mr. DiSALVO. I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to incriminate me in violation of my rights—in violation of my rights as guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. DiSalvo, prior to July of 1965, did you hold membership in the White Knights of the Ku Klux Klan of Mississippi?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Since July of 1965, have you been a member of the United Klans of America, Realm of Mississippi, which is known under the cover name of the Mississippi Rescue Service?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. DiSalvo, do you hold a license under the Federal Firearms Act as a gun dealer?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. As a member of a Klan organization, have you ever discussed acts of violence, including the creation of firing squads and the dynamiting of a train carrying any specific passengers?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. DiSalvo.

Louis Anthony DiSalvo was born on January 31, 1927, at New Orleans, Louisiana. He is self-employed as an operator of a Shell gasoline station and as the operator of Louis Barbershop. In addition thereto, as a part of his gasoline station he applied for and received a license under the Federal Firearms Act. He completed a 10th grade education and received a high school equivalent diploma through an Armed Forces Equivalency Test. He served in the United States Maritime Service from May 1945 to November 1945 and in the United States Army from November 1945 to May of 1947, receiving an honorable discharge. On June 16, 1964, Mr. DiSalvo applied for a retail dealer's license under the Federal Firearms Act. However, prior to applying for the license he purchased between 1950 and 70

7.62 Fincub Sporter rifles and 30.06 Springfield rifles from J. C. Newberry Department Store, Edgewater Plaza Shopping Center, Mississippi City, Mississippi. After receipt of license he purchased, on August 28, 1964, from Hunters Lodge, Incorporated, Alexandria, Virginia, eighteen 7.62 Russian M40 Tokarev rifles, six 30.06 Springfield rifles, and 10,000 rounds of 7.62 Russian "M.C." ammunition.

An examination of the serial numbers of the Russian 7.62 rifles shipped by Hunters Lodge to DiSalvo establishes that four of the rifles were identical with rifles found in the possession of the acting EC of the UKA Klaverns who was arrested and who pleaded guilty of charges lodged against him for certain bombings in the McComb, Mississippi, area.

DiSalvo's records, according to the ATU inspection——

The CHAIRMAN. What do you mean by that?

Mr. APPELL. Under the law a gun dealer must keep records of sales of arms and ammunition, and periodically the ATU makes inspections.

The CHAIRMAN. What is the ATU?

Mr. APPELL. The Alcoholic Tax Unit.

The CHAIRMAN. Administering the gun license law?

Mr. APPELL. Yes, sir. I am sorry.

The CHAIRMAN. Under the Treasury Department?

Mr. APPELL. Yes, sir.

The inspection reflects the sale of 12 rifles to Kelly Dunaway of Jayess, Mississippi, and one each to Dillard Houston, Poplarville, Mississippi, and E. Gilbert of Brookhaven, Mississippi, all members of the Klan, with Gilbert at that time being the grand director of the Klan Bureau of Investigation of the White Knights of the Ku Klux Klan of Mississippi.

At the time DiSalvo was buying and selling rifles and ammo, he was a member of the White Knights and the exalted cyclops of a Klavern in Hancock County. At one time DiSalvo indicated to members of a White Knights Klavern at Poplarville, Mississippi, that he was attempting to recruit a firing squad for the Klan under the direction of Sam Bowers, the Imperial Wizard, and himself. As a result, members of the Klavern discussed dropping out of the White Knights and reaffiliating with the United Klans of America. The membership felt that not only would such a squad be used against informants of Klan activities, but against Klansmen who were not informants but who might be suspected.

In September of 1964, DiSalvo suggested to other Klansmen that they could dynamite the train carrying Mrs. Lyndon B. Johnson when she came through Mississippi. He discussed places where dynamite may be obtained and the use of boats for possibly dynamiting a bridge over which the train carrying Mrs. Johnson was to travel.

On July 17, 1965, DiSalvo sat on the speakers platform at the United Klans of America rally held at Crossroads Community, Poplarville, Mississippi. On October 27, 1965, DiSalvo acted as master of ceremonies at the United Klans of America rally held at Bay Saint Louis, Mississippi. He claimed at this rally to have been a

member of the UKA for about 3 or 4 months. Jack Helm, Grand Klaliff of the Realm of Louisiana, who was introduced as representing the Greater New Orleans Citizens Council, was the principal speaker. DiSalvo claims to hold membership in both the UKA and the White Knights of the Ku Klux Klan of Mississippi.

This information, Mr. Chairman, indicates that Mr. DiSalvo possesses additional information which is both pertinent and relevant to this inquiry and would materially aid Congress in enacting remedial legislation.

The CHAIRMAN. Mr. DiSalvo, the gentleman who made that statement is Mr. Don Appell. He is the chief investigator of this committee. He is under oath, just like you are, subject to the fines and penalties of perjury. You have heard the sworn statement of Mr. Appell. I now give you the opportunity to reply to any portion of that statement, to admit or deny the truth of it, to modify it in any way. In addition, I give you the right and privilege, if you so desire, to offer any other matter the committee may deem relevant to this inquiry. And, incidentally, I agree with the statement of Mr. Appell that you possess additional information to supply. Do you care to avail yourself of that opportunity?

Mr. DiSALVO. I respectfully decline to answer the question for the reasons previously stated.

The CHAIRMAN. In that case, Mr. DiSalvo, I will inform you, since you offer no rebuttal, that unless other facts may come to the attention of the committee, this committee will rely upon the accuracy of this investigation. With that in mind, have you anything to say?

Mr. DiSALVO. I respectfully decline to answer the question for the reasons previously stated.

The CHAIRMAN. Proceed, Mr. Appell.

Mr. APPELL. Mr. DiSalvo, I hand you a copy of an application for retail dealer's license under the Federal Firearms Act, which the Treasury Department certifies to be a copy of the original. This application is made in the name of Louis A. DiSalvo, trade name DiSalvo Service, 264 Waveland Avenue, Waveland, Mississippi, dated June 16, 1964, signed Louis A. DiSalvo, independent owner. I ask you if the signature on that application is your signature.

Mr. DiSALVO. I respectfully decline to answer the question on the grounds previously stated.

(Document marked "Louis DiSalvo Exhibit No. 1" appears on pp. 2716, 2717.)

Mr. APPELL. Mr. DiSalvo, I hand you a series of documents obtained by the committee from Hunters Lodge, Incorporated, 200 South Union Street, Alexandria, Virginia, and ask you if the letters contained therein signed Louis A. DiSalvo and the record of shipment of the rifles described in the statement are authentic.

Mr. DiSALVO. I respectfully decline to answer the question for the reasons previously stated.

(Documents marked "Louis DiSalvo Exhibits Nos. 2A, 2B, and 2C" appear on pp. 2717-2719.)

LOUIS DiSALVO EXHIBIT No. 1

FORM 7 (Firearms) (REV. MAY 1964)		U. S. TREASURY DEPARTMENT - INTERNAL REVENUE SERVICE APPLICATION FOR LICENSE (Federal Firearms Act) (See instructions on reverse)		1. Check one: <input type="checkbox"/> Renewal <input checked="" type="checkbox"/> Initial	
TO: District Director of Internal Revenue,					
2. Name of applicant (Print) (If partnership, furnish name of each partner) <i>Louis A. DiSalvo</i>			2a. Employer Identification No. (If any) or individual Social Security No. if not an employer <i>435-20-4074</i>		
3. Trade name <i>DiSalvo Service</i>					
4. Business address (No. and street, city, county, State) <i>264 Cleveland Ave. Cleveland, Miss.</i>					
5. Home address (No. and street, city, county, State) (If a partnership, indicate address of each partner. If a corporation, indicate address of principal place of business) <i>RFD #2 - Box 374-C; Bay St. Louis, Miss.</i>					
6. Are you presently engaged in the business of manufacturing, importing or dealing in Firearms?			Check appropriate box or boxes <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
7. If you are not presently engaged in the Firearms business, give approximate date of starting in business			Date <i>7/1/64</i> <i>if possible?</i> <i>receive license later.</i>		
8. Type of business conducted, or to be conducted <i>Service Station & transporting guns & ammo. want to add. State Tax No. 23-1868</i>			<input type="checkbox"/> Importer <input type="checkbox"/> Exporter <input type="checkbox"/> Manufacturer <input type="checkbox"/> Gunsmith <input type="checkbox"/> Wholesale dealer <input checked="" type="checkbox"/> Retail dealer		
9. Type of license applied for			<input checked="" type="checkbox"/> \$25.00 - Manufacturer (including importer) <input checked="" type="checkbox"/> \$1.00 - Dealer (including exporter, wholesale or retail dealer, and gunsmith)		
10. Remittance submitted by (make remittance payable to TREASURER OF THE UNITED STATES)					
11. Do you have a State or local license to engage in the Firearms business?			<input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money order		
If answered "Yes," state type, serial number, and under what jurisdiction issued; if answered "No," check appropriate box below: <input type="checkbox"/> NOT REQUIRED <input type="checkbox"/> APPLICATION SUBMITTED <input type="checkbox"/> APPLICATION HELD PENDING ISSUANCE OF FEDERAL LICENSE <input type="checkbox"/> OTHER (Explain in a separate attachment)			Type Serial No. Jurisdiction		
12. Are you registered as a manufacturer or dealer in Firearms under the National Firearms Act? (United States Code, Title 26, Chapter 53)			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If answered "Yes," indicate class and special (occupational) tax stamp number			Class Occupational Tax Stamp No.		
13. Are you registered as an Importer or Exporter of arms under regulations issued by the Department of State (Part 122 of Title 22, Code of Federal Regulations)?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If answered "Yes," indicate registry number and date of issuance			Registry No. Date of issuance		
14. Have you ever had any Permit or License to engage in the Firearms business denied, suspended, or revoked by Federal, State or local authorities?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If answered "Yes," give full particulars on additional sheet					
The undersigned hereby applies for a license under the Federal Firearms Act (18 USC 903) to transport, ship, and receive firearms and ammunition in interstate and foreign commerce and states as follows: The applicant is not a fugitive from justice as defined in Title 18 USC 901(f) and is not under indictment for, and has never been convicted of a crime punishable by imprisonment for a term exceeding one year.					
I declare that the above statements are true and correct. (Any person who makes any statement in applying for the license provided for in this Act, knowing such statement to be false, shall upon conviction thereof, be fined not more than \$2,000 or imprisoned for not more than five years, or both (18 USC 923).)					
15. Date of application <i>June 16, 1964</i>		16. Signature <i>Louis A. DiSalvo</i>		17. Title (State whether individual owner, member of firm, or officer of corporation) <i>Ind. Owner</i>	

GPO : 1962 O - 343-6

Form 7 (Firearms) (REV. 5-64)

Mr. APPELL. Mr. DiSalvo, the individual who was arrested in the McComb bombing for the part he played in certain bombings in McComb, Mississippi, in whose possession the four rifles shown on the invoice of rifles which you received, was Paul D. Wilson. Did you know Paul D. Wilson?

Mr. DiSALVO. I respectfully decline to answer the question for the reasons previously stated.

LOUIS DiSALVO EXHIBIT No. 1—Continued

1. PRIOR LICENSE NO. 6-22-54 JMS		2. EMPLOYER IDENTIFICATION NUMBER (IF ANY)	3. FOR DISTRICT DIRECTOR USE ONLY APPLICATION NO.
4. DIST. DIR. OF INTERNAL REVENUE AT Jackson, Miss.			
5. (NAME AND ADDRESS OF APPLICANT - IF INCORRECT, PLEASE CORRECT) Louis A. DiSalvo DiSalvo Service 264 Waveland, Ave. Waveland, Miss.			
6. DEALER		7. (CHECK APPLICABLE BOX ONLY) <input type="checkbox"/> MANUFACTURER (\$25 (or Importer)) <input type="checkbox"/> BUSINESS DISCONTINUED (Specify date dis.)	
APPLICATION FOR RENEWAL LICENSE — FEDERAL FIREARMS ACT			
The applicant is engaged in the class of business indicated above and hereby applies for a license under the Federal Firearms Act. The applicant also states that he is not a fugitive from justice as defined in Title 18 USC 901 (5) and is not under indictment for and has never been convicted of a crime punishable by imprisonment for a term exceeding one year.			
I declare that the above statements are true and correct.			
8. SIGNATURE	10. DATE	11. TITLE OR STATUS (State whether individual owner, member of firm, or officer of corporation)	

Complete this application, enclose proper remittance, made payable to "Treasurer of the U. S.", and file IMMEDIATELY to avoid penalties prescribed by law. File this application with the District Director of Internal Revenue indicated in Item 3.

U. S. TREASURY DEPARTMENT—INTERNAL REVENUE SERVICE

FORM 5-A (FIREARMS) (REV. 12-55)

LOUIS DiSALVO EXHIBIT No. 2-A

DI SALVO SERVICE
RIFLES—PARTS—AMMUNITION
F.F. LIC # 64-1409
SHIPP ST. WAVELAND, MISS.
PHONE: 467-5413

August 28, 1964

Hunter's Lodge Inc.
200 South Union Street
Alexandria, Virginia

Sirs;

As per my phone call to your company on August 27, 1964, I placed an order of:

18 pcs. 7.62 Russian M-40 Tokorev rifles.
6 pcs. 30.06 Springfield 03A3's rifles, High numbers only.
10,000 rnds. of 7.62 Russian M.C. amm0.

I understand that the above are in a Guaranteed condition or we can return or exchange; is that not correct, sir?

Enclosed is the check for the price total quoted me on telephone. Please ship immediately, consigned to:

DiSalvo Service
Shipp Street
Waveland, Mississippi

Please send me more information and books as to what you have and discounts and quantity discounts along with my order.

Thanking you in advance for your kind attention;

I remain
Very truly,

Louis A. DiSalvo

c.c. on file

Louis A. DiSalvo

Please place my phone number up above on the bill of lading for shipment.

LOUIS DiSALVO EXHIBIT No. 2-B

☒ HUNTERS LODGE, INC.

SOUTH UNION ST.



THE BLADESMAN

8-10 PRINCE ST.

No. 97640

King 8-2323

ALEXANDRIA, VIRGINIA

City

State

Shipped To . DI SALVO SERVICE
 Street . Shipp Street
 . Waveland, Mississippi

Date Shipped

PHONE: 467-5413

Shipping Point:— ALEXANDRIA, VIRGINIA

Pieces

Articles

Description

Declared Value

\$980.76

Weight

DO NOT
USE
THIS
SPACE☐ Pistol☒ Rifles☐ Accessories

P.P. No.

☒ Small Arms Ammunition

PLEASE OPEN SHIPMENT UPON ARRIVAL. EXAMINE AND UNPACK MERCHANDISE.
 IF DAMAGED GET BAD ORDER REPORT AND FILE CLAIM IMMEDIATELY WITH CARRIER.

Codes:

Date Order Received

August 31, 1964

ORDERS USUALLY SHIPPED 72 HOURS AFTER RECEIPT

Shipped Via: RAIL EXPRESS • PARCEL POST • UNITED PARCEL • TRUCK • AIR FREIGHT • OTHER
☐ ☐ ☐ ☒ ☐ ☐

QUANTITY	DESCRIPTION	AMOUNT
X18	M-40 Russian Tokarev rifles w/TOOLS @34.95	629.10
XSix	Model 03/A3 U.S. Spring field 30-06 rifles @42.95	257.70
	less 30%	886.80
		266.04
		620.76
X10,000rds	7.62mm Russian MC.ammo @6.00	600.00
	less 25%	240.00
		360.00
	by M.O. w/order	980.76
		980.76
		000000
hm 8/31/64		9-9 Jone Signature

IMPORTANT! IN ALL CORRESPONDENCE REFER TO ABOVE INVOICE NUMBER.
 ALL INFORMATION PRINTED ON BOTH SIDES OF THIS SHEET IS PART OF YOUR CONTRACT.

PACKING ORDER

SHIPPING DIVISION: RETURN TO PROCESSING
 DIVISION AFTER DISPATCHED!

LOUIS DiSALVO EXHIBIT No. 2-C

Sold to:

Di Salvo Service

Date:

9-10

Invoice No.

97640

Serial Nos. Taken By:

Mr.

0343

M-40

Item:

Springfield

Item:

Salvo

Item:

1) <u>3543915</u> ✓	(1) <u>CA 2091</u> ✓	(1) _____
2) <u>3481541</u> ✓	(2) <u>450</u> ✓	(2) _____
3) <u>3523570</u> ✓	(3) <u>2110</u> ✓	(3) _____
4) <u>3513457</u> ✓	(4) <u>3521</u> ✓	(4) _____
5) <u>3491356</u> ✓	(5) <u>7266</u> ✓	(5) _____
6) <u>4053150</u> ✓	(6) <u>2980</u> ✓	(6) _____
7) _____	(7) <u>3486</u> ✓	(7) _____
8) _____	(8) <u>907</u> ✓	(8) _____
9) _____	(9) <u>2609</u> ✓	(9) _____
10) _____	(10) <u>2579</u> ✓	(10) _____
11) _____	(11) <u>841</u> ✓	(11) _____
12) _____	(12) <u>512</u> ✓	(12) _____
13) _____	(13) <u>5432</u> ✓	(13) _____
14) _____	(14) <u>3986</u> ✓	(14) _____
15) _____	(15) <u>737</u> ✓	(15) _____
16) _____	(16) <u>5533</u> ✓	(16) _____
17) _____	(17) <u>3843</u> ✓	(17) _____
18) _____	(18) <u>1483</u> ✓	(18) _____
19) _____	(19) _____	(19) _____
20) _____	(20) _____	(20) _____

Mr. APPELL. Mr. DiSalvo, at a meeting of the White Knights of the Ku Klux Klan held near Raleigh, Mississippi, on June 7, 1964, did you instruct the some 300 White Knights gathered at a rally in the use of poisonous snakes and the method by which a victim could be bitten by a poisonous snake and placed in the woods in such a position that if his body was uncovered people would think that he might have laid down and gone to sleep and a snake had come upon him and poisoned him?

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. DiSalvo, you were laughing. We have sworn testimony to this effect. Now you have an opportunity to deny it if it is not true.

Mr. DiSALVO. I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. Mr. DiSalvo, did you know a coleader in the Bay Saint Louis area of Mississippi in the White Knights of the Ku Klux Klan, Emile Piazza?

Mr. DiSALVO. I respectfully decline to answer that question for reasons previously stated.

Mr. APPELL. Mr. Chairman, the staff has no further questions of this witness. I ask that, according to your previous instructions, documents referred to in the testimony of Mr. DiSalvo be entered into the record as exhibits to his testimony.

The CHAIRMAN. The documents will be admitted in evidence. The witness is excused.

Call the next witness.

Mr. APPELL. Mr. Chairman, I would like to call Mr. Thomas Byron Thrasher, Sr.

The CHAIRMAN. Raise your right hand, sir. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. THRASHER. I do, sir.

**TESTIMONY OF THOMAS BYRON THRASHER, SR., ACCOMPANIED
BY COUNSEL, TRAVIS BUCKLEY AND CHARLES J. MAY III**

Mr. APPELL. State your full name for the record, please.

Mr. THRASHER. My full name is Thomas Byron Thrasher, Sr.

Mr. APPELL. Spelled T-h-r-a-s-h-e-r?

Mr. THRASHER. That is true, sir.

Mr. APPELL. Are you appearing before the committee in accordance with the subpoena served upon you by Investigator Sullivan at 2203 Ken Avenue, Pascagoula?

Mr. THRASHER. Sir, I am appearing before the committee in regard to subpoena issued October 28, 1965. The address at which it was delivered, which you gave, is incorrect. The place was my home at 2431 Ken Avenue, Pascagoula, Mississippi.

Mr. APPELL. 2431 rather than 2203?

Mr. THRASHER. Yes. You have an old set of addresses and house numbers which have been changed.

Mr. APPELL. I see. Mr. Thrasher, are you represented by counsel?

Mr. THRASHER. Yes, sir, I am.

Mr. APPELL. Will counsel identify themselves?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. MAY. I am Charles J. May III, attorney at law, Mississippi.

Mr. APPELL. Mr. Thrasher, under the terms of the subpoena served upon you and the attachment thereto, which was made a part of the subpoena, you were directed to bring with you and to produce the documents called for in paragraph 1:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi, and affiliated organizations, namely, The Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as past or present Exalted Cyclops of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in paragraph 1, Mr. Thrasher, I ask you to produce the documents called for.

Mr. THRASHER. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records as were ordered by the subpoena issued to me—due to the fact that such records are not and were not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Mr. Thrasher, do you have possession and custody or control, or was there available to you in the representative capacity described in the subpoena, the documents called for in the subpoena at any time after March 30, 1965?

Mr. THRASHER. No, sir.

The CHAIRMAN. Did you have possession of such documents at any time after February 1, 1965?

Mr. THRASHER. No, sir.

The CHAIRMAN. Did you take any steps, alone or with others, to divest yourself of the possession or custody or control of these documents so that you could take the position taken in the answers you have given thus far?

Mr. THRASHER. No, sir.

The CHAIRMAN. Did you take any steps, alone or with others, so that it could be impossible for you to produce the documents today?

Mr. THRASHER. No, sir.

The CHAIRMAN. Did you have possession of those documents at any time?

Mr. BUCKLEY. Mr. Chairman, may I ask you a question off the record?

(Conference off the record.)

Mr. BUCKLEY. Would you ask the question again, Mr. Chairman?

The CHAIRMAN. Did you have possession, custody, or control of these documents at any time?

Mr. THRASHER. No, sir.

The CHAIRMAN. Do you know who has had possession and control of these documents and who has possession or control of them at this very minute?

Mr. THRASHER. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

The CHAIRMAN. Were you a party in any way to their destruction?

Mr. THRASHER. Sir, would you repeat that question, please?

The CHAIRMAN. I will lead up to it. Do you know whether or not these records were ever destroyed, done away with in any way, or hidden? I am talking about from your personal knowledge.

Mr. THRASHER. Sir, in answer to your question, from my own personal knowledge I do not know.

The CHAIRMAN. Did you personally participate in their destruction?

Mr. THRASHER. Sir, I have never participated in the destruction of any records as required by the subpoena issued to me.

The CHAIRMAN. Do you know who has those records now?

Mr. THRASHER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you have possession, custody, or control of any Klan records that were not asked for in the subpoena?

Mr. THRASHER. No, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Thrasher, paragraph 2 called for you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as Exalted Cyclops (past or present) of the White Knights of the Ku Klux Klan which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

In the representative capacity set forth in that subpoena, I ask you to produce the documents called for in paragraph 2.

Mr. THRASHER. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. SENNER. Mr. Chairman, may we have the answer repeated?

Mr. THRASHER. Sir, I could not produce such—

The CHAIRMAN. You "could not." You mean, you cannot?

Mr. THRASHER. Could not.

The CHAIRMAN. I see what you mean.

Mr. THRASHER. I could not produce such records that were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. If I asked you the same series of questions I propounded a while ago with reference to the first paragraph of this subpoena, would your answers be the same on the whole?

Mr. THRASHER. Sir, in regards to my answer, assuming that the questions were the same in regards to records, and so forth and so on, they would be the same.

The CHAIRMAN. Counsel, I suppose, both of them, agree to the import and the scope of the question I just asked and he answered.

Mr. BUCKLEY. Yes, sir.

The CHAIRMAN. Counsel indicate their agreement.

Mr. APPELL. Mr. Thrasher, prior to June 1, 1964, did you, with the assistance of A. C. Herrington, organize a Klavern of the White Knights of the Ku Klux Klan of Mississippi?

Mr. BUCKLEY. Did you say prior to that time?

Mr. APPELL. Prior to.

Mr. THRASHER. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

The CHAIRMAN. What was the answer—the invocation?

Mr. APPELL. Yes. Was a meeting of prospective Klansmen held at Lightseys Cabins on South Market in Pascagoula on June 11, 1964, which meeting consisted of between 30 and 60 employees of Ingalls Shipyard?

Mr. THRASHER. Sir, for the reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. The constitution and bylaws of the White Knights of the Ku Klux Klan of Mississippi provide certain duties and responsibilities and the maintaining of certain records by an exalted cyclops. I put it to you as a fact, and ask you to affirm or deny the fact, that after the organization of this Klavern and up until March of 1965 you were the exalted cyclops of the Klavern.

Mr. THRASHER. Sir, for the reasons previously stated, I respectfully decline to answer the questions.

Mr. APPELL. Mr. Thrasher, I repeat a question asked earlier by Chairman Willis, and that is whether or not you had any documents called for by the constitution and laws of the White Knights of the Ku Klux Klan in your possession after February 1, 1965.

Mr. THRASHER. Mr. Appell, I would like if you would, please, sir, to clarify just what you mean by documents.

Mr. APPELL. Charters, books, and records of minutes of meetings, charter that was presented to the Klavern, and other documents which the constitution and law provide.

Mr. Thrasher, my question related to documents in your possession as the exalted cyclops of the unit.

Mr. THRASHER. No, sir.

Mr. APPELL. Then, Mr. Chairman, I consider the answer that he had no documents in his possession as the exalted cyclops.

Mr. Thrasher, it is my opinion that you have opened the door by the response that you gave to this last question, and I now ask you: Who held the offices within the Klavern of klaliff or vice president, klokard or lecturer, kligraph or secretary, klabee or treasurer, kludd or chaplain, kladd or conductor, klarogo or inner guard, klexter or outer guard, klokkan or investigator, night-hawk, and who is the assistant to the klokard and the kladd and the klepeer, the Klavern's representative to the klanburgesses?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Thrasher, when and where were you born?

Mr. THRASHER. I was born September 23, 1934, in Pensacola, Florida.

Mr. APPELL. What is your educational background?

Mr. THRASHER. I attended public schools in Pensacola. I have a graduate equivalency diploma from the Armed Forces and I attended college at Stetson University at Deland, Florida, for approximately 1 year.

Mr. APPELL. What year was that?

Mr. THRASHER. That was 1953, I believe, sir.

Mr. APPELL. What is your military service?

Mr. THRASHER. I am a veteran of the Air Force. I served 4 years and was honorably discharged.

Mr. APPELL. What years were you in the Air Force?

Mr. THRASHER. From 1950 to 1954. It must be 1954 that I attended Stetson University in DeLand.

Mr. APPELL. What is your employment background since 1960?

Mr. THRASHER. I have been employed by the Ingalls Shipbuilding Corporation at Pensacola.

Mr. APPELL. Mr. Thrasher, on March 11, 1965, was there a meeting held at your house in which B. L. White was told that he would be the next exalted cyclops of the Klavern?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. On March 19, 1965, was Mr. B. L. White in fact elected as the exalted cyclops to replace you?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Did you know, or do you know, Louis Anthony DiSalvo who preceded you on the witness stand?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Did you purchase a rifle from him?

(Witness confers with counsel.)

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Thrasher, a cross was burned at the home of Spurgeon Lauchaussee, the employment manager at Ingalls. Do you possess any knowledge of that cross-burning?

Mr. THRASHER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. THRASHER. Thank you, sir.

Mr. APPELL. Mr. Burrel Lindsey White.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHITE. I do.

TESTIMONY OF BURREL LINDSEY WHITE, JR., ACCOMPANIED BY COUNSEL, TRAVIS BUCKLEY AND CHARLES J. MAY III

Mr. APPELL. Would you state your full name for the record, Mr. White?

Mr. WHITE. Burrel Lindsey White, Jr.

Mr. APPELL. Would you spell your first name, please, sir?

Mr. WHITE. B-u-r-r-e-l.

Mr. APPELL. Mr. White, are you appearing before the committee to-

day in accordance with a subpoena served upon you by John D. Sullivan, an investigator of this committee, on October 28, 1965, at the General Building Supply in Gulfport, Mississippi.

(Witness confers with counsel.)

Mr. WHITE. Was that the 28th of October, sir?

Mr. APPELL. Yes.

Mr. WHITE. That is correct.

Mr. APPELL. Are you represented by counsel, Mr. White?

Mr. WHITE. I am, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BUCKLEY. I am Travis Buckley, attorney at law, Bay Spring, Mississippi.

Mr. MAY. I am Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. White, the subpoena served upon you, which I understand should be amended to include the designation "Jr.," called upon you to bring with you and to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi, and affiliated organizations, namely, The Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as past or present Exalted Cyclops of the White Knights of the Ku Klux Klan of America, Inc., also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

In the representative capacity set forth in that document, I ask you to produce the documents called for.

(Witness confers with counsel.)

Mr. WHITE. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were not and are not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Have you ever had possession of those documents or control or custody of them at any time?

(Witness confers with counsel.)

Mr. WHITE. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Do you know where those documents are?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know who has possession of them?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you now have, or have you ever had, any Klan documents in your representative capacity as stated in the subpoena not called for by the subpoena?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know whether the documents called for, or any others, have been destroyed by you or anyone else?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you participate or have knowledge—participate in or have knowledge of the destruction of these documents?

(Witness confers with counsel.)

Mr. WHITE. No, sir; not such records as required by the subpoena.

The CHAIRMAN. Well, did you participate in, or do you have knowledge of, the destruction of documents—Klan documents—not called for by the subpoena?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Proceed.

Mr. APPELL. As a matter of fact, Mr. White, it is a part of the operating procedure of the White Knights of the Ku Klux Klan to do things as follows: When you recruit a man into the organization to immediately burn his application; and with respect to financial documents, that once they have served their purpose they are to be burned; and that, to maintain the security of the White Knights, destruction of documents is supposed to take place as soon as possible in order to cut down on the risk of exposure of either the Klan or its members.

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. White, in paragraph 2 you are requested to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as officer or member of the White Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

In the representative capacity set forth in paragraph 2, I ask you to produce the documents called for.

Mr. WHITE. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, or are, not in my possession, custody, or control and I did not and I do not have access to such records.

The CHAIRMAN. If I asked the same series of questions that I did a moment ago, would your answer to them under oath be the same?

(Witness confers with counsel.)

Mr. WHITE. Would you state that again?

The CHAIRMAN. Would the answer be the same that you gave a while ago if I repeated the questions I asked a while ago?

Mr. WHITE. Yes, sir.

The CHAIRMAN. Do counsel agree that the scope of this question is proper under the circumstances?

Mr. BUCKLEY. Yes, sir, Mr. Chairman.

Mr. MAY. Yes, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. White, when and where were you born?

Mr. WHITE. When or where, sir?

Mr. APPELL. When and where.

Mr. WHITE. September 11, 1914, at Laurel, Jones County, Mississippi.

Mr. APPELL. What is your educational background?

Mr. WHITE. I am a graduate of the Laurel High School. I attended all Laurel public schools; graduating in 1932.

The CHAIRMAN. From public schools?

Mr. WHITE. From the public schools.

The CHAIRMAN. You are not talking about higher education. If you did, proceed.

Mr. WHITE. I have no formal higher education. However, I did later, Mr. Willis, attend some vocational schools.

Mr. APPELL. What has been your employment background since 1960?

Mr. WHITE. In a portion of 1960 I was self-employed and I also was working for the Frank Gardner Hardware Company of Laurel, Mississippi. Now, I am not sure as to the dates because I worked for that firm on two different occasions. I worked also for the J. C. Martin Lumber Company of Waynesboro; the St. Louis Field Terminal Warehouse Company of St. Louis, Missouri; the General Building Supply Company, Inc., of Gulfport, Mississippi; the Lawrence Warehouse Company. And the General Building Supply Company has since changed their name to General Homes. I would like to clarify that just a little. These warehousing companies, for instance, the Lawrence Warehouse Company now is my legal employer. However, I work for them but render service to General Homes, Inc., as a bonded warehouseman.

Mr. APPELL. Mr. White, since 1960, have you had or did you receive income from sources—

Mr. CHAIRMAN. I did not catch it.

Mr. APPELL. Since 1960 did you receive income from sources other than those you have enumerated in your employment background?

Mr. WHITE. Yes, sir.

Mr. APPELL. Would you enumerate them?

Mr. WHITE. I have an apartment house in Laurel, Mississippi. We have two apartments or did have two apartments that we rented out. We lived in one until about 2 years ago. At present we have three apartments that we try to keep rented. I also received other commissions. I was a free-lance salesman, as I said, employed by myself for a while and sought any item that was salable to the building trades. In that capacity I represented the Laurel Brick & Tile Company of Laurel, Mississippi, and the Standard Block Company of Gulfport, Mississippi. I believe those are all.

Mr. APPELL. Did you receive any income in the form of reimbursement for recruiting or expenses from an organization known as the White Knights of the Ku Klux Klan of Mississippi?

(Witness confers with counsel.)

Mr. WHITE. No, sir.

Mr. APPELL. Mr. White, are you acquainted with the VCM Club in Pascagoula?

Mr. WELTNER. What club?

Mr. APPELL. VCM.

The CHAIRMAN. What is the question?

Mr. APPELL. Is he acquainted with it, with the fact that it exists.

The CHAIRMAN. The what?

Mr. APPELL. "V" as in Victor, "C" as in Charles, "M" as in Mary.

The CHAIRMAN. What is that? All right, ask the question.

(Witness confers with counsel.)

Mr. WHITE. Sir, could you make that question a little more specific? In what way do you want me—

Mr. APPELL. Do you know of the existence of a building known as the VMC Club. I mean VCM.

(Witness confers with counsel.)

Mr. WHITE. Sir, I do know of the existence of it. I know nothing else of the operation.

Mr. APPELL. At that club on March 19, 1965, did you become exalted cyclops of the Klavern of the White Knights in the Pascagoula, Mississippi, area?

(Witness confers with counsel.)

Mr. WHITE. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Do you know Mr. Thrasher who preceded you to the witness stand?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Were you advised at a meeting which took place in Mr. Thrasher's house on March 11, 1965, that you would be the next exalted cyclops of the Klavern?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you presently a member of the White Knights of the Ku Klux Klan?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. White, do you possess knowledge of the fact that two Klaverns in the Pascagoula area have recently disaffiliated with United Klans of America and become affiliated with the White Knights of the Ku Klux Klan?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of Mr. White.

Mr. WELTNER. I have a question, Mr. Chairman.

Mr. White, on page 6 of the constitution of the White Knights—could I ask that the witness be afforded a copy of that? Page 6, Section 12, there is this section—"This Constitution and all Laws enacted pursuant to it"—and then the following is in capital letters—

SHALL BE THE SUPREME LAW OF THE WHITE KNIGHTS OF THE KU KLUX KLAN OF THE SOVEREIGN REALM OF MISSISSIPPI, AND BINDING THEREOF UPON ALL MEMBERS, REGARDLESS OF RANK.

I would like to know whether you consider this constitution to be a higher power than the Constitution of the United States.

(Witness confers with counsel.)

Mr. WHITE. Are you asking me, sir, to confirm or deny a fact, or are you asking for my own personal opinion?

Mr. WELTNER. I will restate the question. Bearing in mind Section 12 of the constitution of the White Knights of the Ku Klux Klan, which states that the constitution and laws of the White Knights—
SHALL BE THE SUPREME LAW OF THE WHITE KNIGHTS OF THE KU KLUX KLAN OF THE SOVEREIGN REALM OF MISSISSIPPI, AND BINDING THEREOF UPON ALL MEMBERS; REGARDLESS OF RANK.

I am asking you whether or not you personally consider this constitution, a copy of which you hold in your hand, to be a higher authority upon you than the Constitution of the United States?

(Witness confers with counsel.)

Mr. WHITE. I do not so consider it.

(Document previously marked "Gordon Lackey Exhibit No. 2.")

Mr. WELTNER. Do you consider the Constitution of the United States to take precedence over the constitution of the White Knights of the Sovereign Realm of Mississippi?

(Witness confers with counsel.)

Mr. WHITE. I believe, sir, that the Constitution of the United States takes precedence over all laws, except the laws of God.

Mr. WELTNER. Mr. White, have you ever subscribed to an oath to support this constitution of the White Knights of the Ku Klux Klan?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Are you familiar with Article XII of the constitution of the White Knights, or were you familiar with it prior to the time some few minutes ago when a copy was handed to you?

Mr. WHITE. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. WELTNER. Have you ever subscribed to the oath appearing on page 38 of that document which you have in your hand that says:

I swear that I will never be the cause of a breach of secrecy or any other act which may be detrimental to the integrity of the White Knights of the Ku Klux Klan of Mississippi.

That appears on page 38 of the constitution.

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. White, I hand you a copy of a document entitled "Imperial Executive Order," bearing date May 3, 1964, addressed to all officers and members, subject, "Forthcoming Enemy attack and countermeasures to be used in meeting same," with the notation at the top reading:

THIS ORDER WILL BE READ TO OR BY AND UNDERSTOOD BY EVERY MEMBER OF THIS ORGANIZATION.

I will ask you to examine that and state to us whether or not you have ever seen such a document as this by this date.

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Document marked "Burrel White Exhibit No. 1." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 169-171.)

Mr. WELTNER. I call your attention to a section of this. On page 2, the third full paragraph, reads as follows:

Any Personal attacks on the enemy should be carefully planned to include *only* the leaders and prime white collaborators of the enemy forces. * * *

Mr. BUCKLEY. Pardon me, Mr. Weltner, we cannot hear you.

Mr. WELTNER. I am reading from paragraph 3 of page 2. That portion in the approximately center of that paragraph:

Any Personal attacks on the enemy should be carefully planned to include *only* the leaders and prime white collaborators of the enemy forces. These attacks against these selected, individual targets should, of course, be as severe as circumstances and conditions will permit. * * *

What kind of attacks are contemplated in the instruction of this Imperial Executive Order of May 3, 1964?

(Witness confers with counsel.)

Mr. WHITE. Sir, I do not quite understand your statement. I am afraid I could not intelligently answer that question.

Mr. WELTNER. All right, sir. Can you enlighten this committee, after having read that document, which, according to its face, is required to be read and understood by every member of the organization—can you enlighten this committee as to what kind of attack is meant by the language that says:

Any Personal attacks on the enemy should be carefully planned * * * should [, of course,] be as severe as circumstances [and conditions] will permit. * * *

What is meant by that? This committee is seeking information and we believe that you can provide us that information.

I am asking you what this document means by "Personal attacks on the enemy."

(Witness confers with counsel.)

Mr. WHITE. Sir, I have not had a chance really to examine and fully understand this document here and I am afraid I just cannot really answer that question intelligently.

Mr. WELTNER. Are you testifying you have never seen this document before today?

Mr. WHITE. No; I am not saying that, sir. But I am saying that I have not had a chance to examine this document right here, right now, and I cannot intelligently answer the question you ask. I just do not understand this document.

Mr. WELTNER. The reason I ask that specifically, Mr. White, is because I asked you a minute ago whether or not you had ever seen this document prior to today, and you refused to answer. Then you stated a moment ago that you had not had a chance to examine this document.

I want to be absolutely clear, and I will ask you again just to be certain that we understand each other, my question is: Have you prior to this day ever seen this document, Imperial Executive Order dated May 3, 1964?

(Witness confers with counsel.)

Mr. WHITE. Sir, to the best of my knowledge, I have never seen this document until right now.

Mr. WELTNER. We are not playing games. I do not mean the two pieces of papers there. I mean the original of the document.

Mr. WHITE. The original of such document.

Mr. WELTNER. Or any copy thereof?

Mr. WHITE. Or any copy thereof.

Mr. WELTNER. Have you ever seen any paper entitled "Imperial Executive Order" emanating from the White Knights of the Ku Klux Klan of the Sovereign Realm of Mississippi?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Let me ask you this—If the investigator would hand this witness the Executive Lecture of March 1, 1964, and I shall, with the Chair's indulgence, permit counsel and the witness to examine that before the next question.

(Document handed to witness.)

Mr. WHITE. Mr. Weltner, sir, in answer to that question—

Mr. WELTNER. I have not asked the question yet, Mr. White.

Mr. WHITE. Pardon me.

Mr. WELTNER. I was just giving you and your counsel an opportunity to examine the document.

Mr. WHITE. Pardon me, sir.

Mr. WELTNER. Let me ask you this question: If you will look on the fourth page of that document, under the paragraph headed, "Propaganda," about 10 lines down, there is this language:

There are three ways that we can destroy an atheist or traitor in the community. They are: 1. Socially. 2. Economically. 3. Physically. The weapon of propaganda can accomplish the first two in nearly all cases, and it should at least precede [sic] and follow up the Action in the third case, if practical. * * *

What I would like to ask you is: Have you ever seen such a document as this prior to today?

(Witness confers with counsel.)

Mr. WHITE. Sir, to the best of my knowledge, I have never seen this document before.

(Document marked "Burrell White Exhibit No. 2." See committee report, *The Present-Day Ku Klux Klan Movement*, pp. 164-168.)

Mr. WELTNER. Have you ever heard any discussion among the Klan members concerning the social, economic, or physical destruction of any person termed "an enemy"?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I think that is all the questions I have at this time, Mr. Chairman.

Mr. SENNER. Mr. White, in response to Mr. Appell's question, whether or not you knew of the VCM, I believe your answer was that you knew about its existence, but nothing else. The second question was, Were you not elected as exalted cyclops at the VCM? And you took the fifth amendment. Would you explain to this committee the difference between those two answers? Would you elaborate on it?

(Witness confers with counsel.)

Mr. WHITE. Sir, I would like to ask if this answer will suffice. I know the approximate location of the building. In fact, I know the road it is located on. But that is all the knowledge I have of the place.

Mr. SENNER. Then what would be the reason of invoking the fifth amendment to the question whether or not you were elected as exalted cyclops of that particular club or VCM?

Mr. WHITE. Sir, I gave this answer to keep from leading to further questions which might possibly—the answers to which might possibly tend to incriminate me.

The CHAIRMAN. Mr. White, since we have been talking about VCM, perhaps you can enlighten me. I understand that could be the name of a building or probably, more accurately, VCM stands for Veterans Club Mississippi. Is that your understanding of what VCM means?

Mr. WHITE. I have no idea what the initials stand for.

The CHAIRMAN. I am delighted with your answer under oath. Despite whatever else was asked of you, I think what I am about to ask was asked of you and you invoked the fifth amendment. You give the appearance of a man of intelligence. You have answered some questions such as the last one under oath, and I assume truthfully. Now, under oath, while you are on the stand, I want to ask you two questions: Are you now or have you ever occupied an official position in any Klan organization?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Although it may be repetitious, I will ask you again: Are you at this very moment a member of any Klan organization?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Mr. Chairman, if I may get back to this VCM, isn't it a fact that you did attend a meeting at the VCM and were inside that club?

(Witness confers with counsel.)

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. And still you want the committee to believe your statement to this committee that you just know about the existence of the VCM, but you know nothing else?

Mr. WHITE. Would you repeat that question, sir?

Mr. SENNER. Mr. Reporter, will you read it to him?

The REPORTER. [Reading:]

And still you want the committee to believe your statement to this committee that you just know about the existence of the VCM, but you know nothing else?

Mr. WHITE. Sir, I gave that statement under oath and I expect the committee to believe it. It is a true statement.

Mr. SENNER. I will ask you again: Is it not a fact that you attended a meeting at the VCM club and were inside that club?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. One last question: At that meeting, or one of those meetings that you attended at the VCM club, isn't it true that you were elected exalted cyclops?

Mr. WHITE. May I have the question read?

Mr. SENNER. Yes.

The REPORTER. [Reading:]

At that meeting, or one of those meetings that you attended at the VCM club, isn't it true that you were elected exalted cyclops?

Mr. WHITE. Sir, for the reasons previously stated I respectfully decline to answer that question.

Mr. SENNER. I think the record is clear now.

The CHAIRMAN. I have one final question. Were you elected exalted cyclops at any time or at any other place?

Mr. WHITE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused.

The committee stands in recess until 2:30 this afternoon.

(Members present: Representatives Willis, Weltner, and Clawson, of the subcommittee, and also Representative Senner.)

(Whereupon, at 1:10 p.m., Thursday, January 13, 1966, the subcommittee recessed, to reconvene at 2:30 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, JANUARY 13, 1966

(The subcommittee reconvened at 2:50 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Weltner, and Clawson.)

The CHAIRMAN. The subcommittee will be in order.

Mr. Appell, you may call your first witness.

Mr. APPELL. Mr. J. W. Holder.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOLDER. I do, sir.

**TESTIMONY OF JOSEPH WALTER HOLDER, ACCOMPANIED BY
COUNSEL, TRAVIS BUCKLEY AND CHARLES J. MAY III**

Mr. APPELL. State your full name for the record, Mr. Holder.

Mr. HOLDER. My full name is Joseph Walter Holder.

Mr. APPELL. H-o-l-d-e-r?

Mr. HOLDER. That is right.

Mr. APPELL. Are you appearing today in accordance with a subpoena served upon you on October 27, 1965, at R.F.D., Louin, Mississippi?

Mr. HOLDER. Yes, sir.

Mr. APPELL. Mr. Holder, are you represented by counsel?

Mr. HOLDER. Yes, I am, sir.

Mr. APPELL. Would counsel identify themselves for the record?

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Holder, when and where were you born?

Mr. HOLDER. I was born in Ted, Mississippi, in Smith County.

Mr. APPELL. And the month, day, and year?

Mr. HOLDER. 1933, January 31.

Mr. APPELL. Briefly outline your educational background.

Mr. HOLDER. Well, I attended school—started to school at Louin, to the best of my ability, I spent 1 year there and finished the 12th grade at Sylvaarena.

Mr. APPELL. Since 1960, would you give the committee your employment background?

Mr. HOLDER. I have been employed by Masonite Corporation of Laurel, Mississippi, from 1958 up until the present time.

Mr. APPELL. Mr. Holder, are you presently a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. HOLDER. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed me by the 5th amendment, 1st, and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Mr. Holder, did you know Ottis Matthews, the financial secretary and assistant business manager of the International Woodworkers of America Local in Laurel, Mississippi? Did you know him?

(Witness confers with counsel.)

Mr. HOLDER. Yes, sir.

Mr. APPELL. Mr. Holder, do you possess any knowledge which relates to a flogging of Mr. Matthews on November 16, 1964?

(Witness confers with counsel.)

Mr. HOLDER. No, sir.

Mr. APPELL. Mr. Matthews, prior to his death, identified you as one of a group of masked men that drug him from his automobile on the night of November 16, 1964, drove him to nearby dump grounds, forced him to lie face down, and beat his bare buttocks—

The CHAIRMAN. I can't understand you. You are either too far away or too close to the mike. I can't understand what you are saying.

Mr. APPELL. Mr. Matthews, before his death, identified you as one of a group of masked men who forced him from his vehicle on the night of 11/16/64, drove him to a nearby dump grounds, forced him to lie face down, and beat his bare buttocks with what was believed to be a leather strap. Some solution was poured on wounds before these persons left him.

Were you involved in this according to the statement made to Investigator Sullivan by the late Mr. Matthews?

(Witness confers with counsel.)

Mr. HOLDER. Sir, if he made that statement, I was not involved.

Mr. APPELL. As a member of the White Knights of the Ku Klux Klan, do you know who was involved?

(Witness confers with counsel.)

Mr. HOLDER. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Mr. Holder, did you as an individual participate in this act of violence against Mr. Ottis Matthews?

Mr. HOLDER. No, sir.

Mr. APPELL. Were you in an automobile on the night of November 16, 1964, either on the parking lot of Sam Holloway Bowers or in

a car near the bridge on the road past the Masonite plant? That is November 16, 1964.

(Witness confers with counsel.)

Mr. HOLDER. Sir, I don't remember where I was on that date.

Mr. APPELL. I asked you if you were in either one of two automobiles. The one parked there or the one parked on the bridge?

(Witness confers with counsel.)

The CHAIRMAN. What is the pending question?

Mr. HOLDER. Sir, I worked at the Masonite Corporation, and the parking lot is close by this vicinity you are talking about. I work shift work. My car could be there, but as far as the date is concerned, I couldn't say definitely. I don't remember the date.

Mr. APPELL. What knowledge do you possess of the beating or flogging of Ottis Matthews?

(Witness confers with counsel.)

Mr. HOLDER. Absolutely no personal knowledge of it.

Mr. APPELL. Personal knowledge? I asked you what knowledge you possessed, no matter from what source it came.

(Witness confers with counsel.)

Mr. HOLDER. Sir, it was either 1 or 2 days after this had taken place that I found it out. I was in the bathroom with a bunch of men—restroom, I beg your pardon—and they was discussing it and that was the first knowledge that I had ever attained of it.

Mr. APPELL. Who were these men that were—

Mr. HOLDER. I don't have any idea. I don't remember. It was just a gang of them, and things like that you don't actually remember.

Mr. APPELL. What was this discussion?

Mr. HOLDER. Well, it was talking about, laughing about Ottis Matthews getting a whipping. The majority of them said, "Well, they didn't believe it" and were carrying on like that, you know. It was more or less a joke. As far as I was concerned, I didn't believe it either. I didn't see it; I don't know anything about it.

Mr. APPELL. Was the position of Ottis Matthews against the Klan and the effort on the part of the Klan to take over the Masonite Local, was this discussed within the Klavern of the White Knights?

Mr. HOLDER. Sir, I respectfully decline to answer that question and invoke as a defense that privilege guaranteed to me by the 5th and 1st and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Under the White Knights of the Ku Klux Klan and the Klavern with which you were affiliated, were there appointed men under the leadership of the klokan who carried out functions which are described in some other Klan groups as "wrecking crews"?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Did you ever serve on such a crew?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Who was the exalted cyclops of the Klan to which you were affiliated?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Do you possess any knowledge of any violence carried out by members of the Klavern of the White Knights to which you were affiliated?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you presently a member of the White Knights of the Ku Klux Klan?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Is the membership of your Klavern composed mostly of employees of the Masonite Company?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Mr. Holder, you stated that at times you did park your automobile, as I understood, near the Masonite plant and that it may or may not have been parked at that place upon the occasion stated. However, Mr. Appell had also asked whether your car was either parked there or at a lot near a Sam Bowers' place.

(Witness confers with counsel.)

Mr. BUCKLEY. Did you say "ever"?

The CHAIRMAN. Yes.

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. You said that your car may or may not have been parked near a bridge at the end of the Masonite plant upon the occasion stated. Now, I am asking you whether your car was parked next to Sam Bowers' place on that occasion?

(Witness confers with counsel.)

Mr. HOLDER. Sir, to the best of my ability to remember, I wasn't even working that night, but was at home.

The CHAIRMAN. I am not talking about where you were. I am asking whether on the occasion stated your car was parked near Sam Bowers' place?

Mr. HOLDER. Sir, I don't remember where my car was on the particular night you are referring to.

The CHAIRMAN. Sam Bowers, according to our information, is the Imperial Wizard of the White Knights of the Ku Klux Klan in Mississippi. Do you know him?

(Witness confers with counsel.)

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you ever visited Sam Bowers at his home or residence?

(Witness confers with counsel.)

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you met him at Klan meetings?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you ever heard him make a speech or speeches

exhorting members of the White Knights of the Ku Klux Klan to violence? Our information is that you did.

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. We have information that Mr. Bowers has brought Klan members to quite a pitch of excitement; is that true?

Mr. HOLDER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. You said that a day or two after the Matthews incident you heard about it in a restroom with a number of people and you said that the majority expressed the opinion that they did not believe the incident. Who made that statement?

Mr. HOLDER. I beg your pardon, sir?

The CHAIRMAN. Who made that statement?

Mr. HOLDER. Sir, I don't remember anyone in particular. It was just a gang of men, and they are as comical a bunch of men as I ever worked with and if they can get a joke or a laugh out of anything, that is as good as they want.

The CHAIRMAN. And you said that gang of men, the humorous group, expressed the opinion that it was all a joke. Is that right?

Mr. HOLDER. Would you repeat that again? I didn't understand it.

The CHAIRMAN. You said the gang of men, whom you described as being a humorous group, said they thought the Matthews incident was a joke. Is that correct?

Mr. HOLDER. Sir, I have a memory here, and I say that some didn't really think it had taken place and some was laughing about it, you know.

The CHAIRMAN. I have a note before me which I made as you were talking, saying that "I thought it was a joke," meaning that you yourself thought it was a joke. Did you?

Mr. HOLDER. Yes, sir.

The CHAIRMAN. What made you think it was a joke?

Mr. HOLDER. Well, sir, I will go back to the point again that these men around there are the most comical bunch of men I have ever worked with, and they are always starting a big thing and want to tell something to get a laugh, or something, and that is what we thought it was.

The CHAIRMAN. You mean to say you thought what had happened to Matthews was a laughing matter, something to discuss as being a laughing matter with a group of friends. Is that correct?

Mr. HOLDER. Sir, I considered it as a rumor and more or less a joke.

The CHAIRMAN. Now I am asking you this question as well: Was it said in that restroom that this action, if it had taken place, was the action of someone from out of your State, away from your area, that had performed the action in order to pin it on the Klan? We have heard that many times.

Mr. HOLDER. Sir, I don't recall a statement like that. It could have been made, but I don't recall it.

The CHAIRMAN. Isn't it a fact that on many, many occasions when acts of violence took place in your area, it was almost invariably spread about by other persons in the community that those acts of violence had happened, were made to take place by people from out-

State, out of the area, as a propaganda move to make people believe that they were Klan actions in an effort to discredit the Klan? And I will repeat to you that we have heard much of that.

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't it a fact that when certain people met with death or tragic accidents in your State, in your area, that it was the practice of the Klan to take that position?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Well, I will state to you as a fact that in all instances of violence, killing, when those representations were made to the effect that those things were done by persons who were foreign to the area, according to our investigation we have never found that to be true. Would you have one instance of a killing or an act of violence or a cross-burning or bombing or anything else where those acts were, in fact, performed by people away from the State or away from the area? Can you name me one such instance? If you do, we will look into it as carefully as we did the others and try to verify it. Can you name me one such instance?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you personally—and you are under oath and must be right with your own conscience—ever make any such statement to the effect that, "Oh, this and that happened. There they go again. It was done by somebody away from here, but they are trying to pin it on this fine, patriotic organization." Did you ever make that statement?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Weltner.

Mr. WELTNER. Mr. Holder, do you know the identity of any one or more of the individuals who were involved in the incident of November 16, 1964, involving Mr. Ottis Matthews?

Mr. HOLDER. No, sir.

Mr. WELTNER. You know of no person involved in that matter?

Mr. HOLDER. No, sir; I sure don't.

Mr. WELTNER. Had you ever heard any discussions concerning some kind of acts of violence or intimidation to Mr. Matthews prior to November 16, 1964?

Mr. HOLDER. What is that?

Mr. WELTNER. Prior to November 16, 1964, had you ever heard any person or persons discuss possibly bringing some action against Mr. Matthews?

Mr. HOLDER. Sir, I can't recall if I did or not.

Mr. WELTNER. You don't recall hearing any discussions about it?

Mr. HOLDER. No, sir.

Mr. WELTNER. Subsequent to that date, did you ever hear any discussion of that incident in any Klan meeting?

Mr. HOLDER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. I have no further questions.

The CHAIRMAN. Don, do you have anything more?

Mr. APPELL. No, sir.

The CHAIRMAN. The witness is excused.

Call the next witness.

Mr. APPELL. Mr. Rex Henry Pierce.

The CHAIRMAN. Will you raise your right hand. Do you solemnly swear the testimony you are about to give, sir, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PIERCE. Yes, sir.

**TESTIMONY OF REX HENRY PIERCE, JR., ACCOMPANIED BY
COUNSEL, TRAVIS BUCKLEY AND CHARLES J. MAY III**

Mr. APPELL. Will you state your full name for the record?

Mr. PIERCE. Rex Henry Pierce, Jr.

Mr. APPELL. Mr. Pierce, are you appearing before the committee today in accordance with the subpoena served upon you on November 1, 1965, at Vicksburg, Mississippi, by John D. Sullivan, an investigator of this committee?

Mr. PIERCE. That is correct.

Mr. APPELL. Are you represented by counsel?

Mr. PIERCE. Yes, sir.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. APPELL. Mr. Pierce, when and where were you born?

Mr. PIERCE. I was born in Vicksburg 3/14 and 40.

Mr. APPELL. I didn't get it, sir. Sit a little closer to the mike.

Mr. PIERCE. March 14, 1940.

Mr. APPELL. Mr. Pierce, will you give the committee a brief résumé of your educational background?

Mr. PIERCE. I graduated from Culkin Academy in 1958.

Mr. APPELL. What year, sir?

Mr. PIERCE. 1958.

Mr. APPELL. I didn't get the year.

Mr. PIERCE. 1958.

Mr. APPELL. Thank you, sir.

Since 1960, would you give us a brief résumé of your employment background?

Mr. PIERCE. Sir?

Mr. APPELL. Since 1960, would you give us a brief résumé of your employment background?

Mr. PIERCE. I believe since 1960 I worked for the Anderson Tully Company.

Mr. APPELL. Mr. Pierce, are you presently a member of any Klan organization?

Mr. PIERCE. I respectfully decline to answer that question and invoke as defense the privileges guaranteed to me by the 5th, 1st, and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Have you held the position of investigator for the Warren County Klavern of the White Knights of the Ku Klux Klan?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Pierce, do you have a criminal record?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Pierce.

On March 14, 1965, Rex Pierce, Jr., and Milton Stokes were in the Vicksburg Cafe in Vicksburg, Mississippi, seated on stools at the front of the counter when a 77-year-old Negro, Thomas Montgomery, entered and walked towards the rear of the cafe. As Montgomery seated himself upon a stool, either Pierce or Stokes said to the proprietor, "You don't mean that thing can eat in here?" At this point Pierce and Stokes got up, went back to where Montgomery sat, threw raw eggs in his face, knocked him to the floor, and kicked him. En route to the door they turned over some tables in the restaurant and smashed the glass out of the front door with their elbows.

On March 21, 1965, a man in an automobile owned by Milton Stokes and fitting the description of Pierce threw a Molotov cocktail from the car which broke against the wall of the cafe. He got out of the car and threw a second Molotov cocktail through the window of the cafe, causing extensive damage. At the time of this incident, both Milton Stokes and Rex Pierce, Jr., were members of the White Knights of Ku Klux Klan of Mississippi.

In July 1965, Pierce was a klagle or organizer for the Warren County Klavern of the White Knights. Harold L. Miller was the exalted cyclops of the Klavern at the same time, and Jasper Buford was its klaliff or vice president. Members of the Klavern included Beauregard Buford, Lonnie Lee Frith, and Louis M. Shaw, who were arrested for burning a cross on July 5, 1965, and all three forfeited \$100 bond.

Rex Pierce, Jr., was indicted on August 25, 1960, at Jackson, Mississippi, and on February 23, 1961, at Biloxi, Mississippi, for bootlegging. On May 15, 1961, he pleaded guilty, was fined \$500, and given 6 months in jail, with fine and sentence suspended and placed on probation for 6 months.

This information, Mr. Chairman, indicates that Mr. Pierce possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Pierce, you have heard the sworn statement of the committee's investigator. You now have the opportunity to reply to any portion of that statement, confirm or challenge the accuracy of the information, or explain any part of it. In addition, you may, if you desire, offer any other matter the committee may deem relevant to the inquiry. Do you care to avail yourself of this opportunity?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. In that case, Mr. Pierce, I must inform you that absent your rebuttal, or facts that may come to the attention of the

committee, this committee will rely upon the accuracy of its investigation. Bearing this in mind, have you anything to say?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Pierce, on August the 11th, 1964, in the Oakridge section of Warren County two Negro families were beaten by 12 to 18 men dressed in white sheets and white hoods. The families beaten were that of Lucy and Henry Ollins and Tom Hicks. The only explanation for the action by the men dressed in white sheets and white hoods was that these two families—one had been visited by COFO workers and the other had permitted a COFO worker to remain in his home overnight. Do you possess any knowledge of this incident, sir?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Pierce, in September 1964, Buck's Store on old Highway 80, several miles east of Vicksburg towards Bovina, Mississippi, was shot into. There were nine shots fired from what was identified to be a .38-caliber weapon, and six went into the store. Do you possess any knowledge of this incident?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On October 4, 1964, at 2:50 a.m. the COFO house in Vicksburg, which is located on the corner of Hossley and Grove Streets, was bombed and a large portion of the house destroyed. Do you possess any knowledge of that action?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On March 18, 1965, Mary Anderson's cafe was bombed with a jug of gasoline and it burned out the inside of the cafe. She is the colored woman who permitted COFO workers to eat in her cafe. Do you know anything about that instance?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On June 19, 1965, firebombs were thrown into a doorless garage at the home of Herman Varva, who was head of the personnel at the Westinghouse plant. Do you know anything about that incident?

Mr. PIERCE. For the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. In November 1965, Mr. Pierce, were you driving a 1950 Ford automobile at any time?

Mr. PIERCE. Sir?

Mr. APPELL. In November of 1965 were you driving a 1950 Ford automobile at any time?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On November 29, 1965, a 1950 Ford automobile was loaded with dynamite and left at the corner of Halls Ferry Road and Bowmar Street in Vicksburg, Mississippi, where it exploded, wrecking the store and home of James Chiplin. Do you know anything about that incident, sir?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. This car had been taken in trade by McKay Motors in Vicksburg, Mississippi. Do you spend quite a bit of your time at McKay Motors?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Pierce, the Ford vehicle that detonated the dynamite it contained on November 29, 1965, destroyed or did damage to the home and blew the son of the investigator of this committee out of the bed.

The CHAIRMAN. Did damage to what?

Mr. APPELL. Did damage to the home and blew the son of the investigator of this committee, Mr. Sullivan, out of bed. Was that car planted to do damage to the Negro property that was damaged, or as an act against the investigator of this committee?

Mr. PIERCE. Sir, would you please repeat that question?

Mr. APPELL. Yes, sir. When this 1950 Ford car exploded on November 29, 1965, it damaged the home of the investigator of this committee, Mr. John Sullivan, and blew one of his children out of the bed. I ask you whether or not that car was placed there to destroy the property of the Negro whose property was destroyed, or whether it was placed there as an act of intimidation against an investigator of this committee?

Mr. PIERCE. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, I have no further questions to ask Mr. Pierce.

The CHAIRMAN. The witness is excused.

Call the next witness.

Mr. APPELL. Mr. Thomas Gunter.

The CHAIRMAN. Call him again.

Mr. APPELL. Mr. Thomas Gunter.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear, sir, the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GUNTER. I do, sir.

TESTIMONY OF THOMAS A. GUNTER, ACCOMPANIED BY COUNSEL JIM PHYFER

Mr. APPELL. State your full name for the record, Mr. Gunter.

Mr. GUNTER. Thomas A. Gunter.

Mr. APPELL. Are you appearing here in accordance with subpoena served upon you on November 8, 1965, at 227 East Pearl Street, n. Jackson, Mississippi?

Mr. GUNTER. Yes.

Mr. APPELL. Are you represented by counsel?

Mr. GUNTER. I am.

Mr. APPELL. Will counsel identify himself?

Mr. PHYFER. Jim Phyfer, 518 East Pascagoula Street, Jackson, Mississippi.

Mr. APPELL. Mr. Gunter, when and where were you born?

Mr. GUNTER. I was born in Adams County, Mississippi, May 16, 1927.

Mr. APPELL. Where do you presently reside?

Mr. GUNTER. 944 Woodville Drive, Jackson, Mississippi.

Mr. APPELL. Will you give the committee a brief résumé of your educational background?

Mr. GUNTER. I have finished Utica High School.

Mr. APPELL. Will you give the committee a résumé of your employment background since 1960?

Mr. GUNTER. Sir, I respectfully decline to answer that question and invoke as defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States.

Mr. APPELL. Mr. Gunter, the subpoena served upon you called for you to bring with you and produce, according to attachment which was made a part of the subpoena:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely Capitol Blueprint and Supply Company all printing and records concerning same for the White Knights of the Ku Klux Klan in Mississippi and Mississippi Constitutional Council, in your possession, custody or control or maintained by you or available to you as president and owner of the Capitol Blueprint and Supply Company.

In the representative capacity set forth in the subpoena, Mr. Gunter, I ask you to produce those documents.

Mr. GUNTER. Sir, I object to the introduction of any records in the proceeding on the grounds of the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. Wait a minute. You say you object. Do you mean you invoke those constitutional privileges as a basis for refusing to produce them?

Mr. GUNTER. Yes, sir.

Mr. APPELL. Mr. Chairman—

Mr. GUNTER. You are ordering me to produce those records?

The CHAIRMAN. We ordered you to produce them in the representative—have you asked him?

Mr. APPELL. I was getting ready to. Before making the demand, Mr. Chairman, I would like to ask the witness whether he received a copy of the chairman's opening statement, which contained the purposes for which these hearings were held, and whether he is acquainted with the provisions of that statement.

Mr. PHYFER. Mr. Appell, we will stipulate that he has.

Mr. APPELL. Thank you. I now ask, Mr. Chairman, the witness be directed to produce the documents called for.

The CHAIRMAN. Did you call for them?

Mr. APPELL. I did, and he invoked the constitutional privilege.

The CHAIRMAN. Mr. Gunter, I take it you understand, as does your attorney, that you were ordered by the subpoena to produce those documents in your representative capacity stated in the subpoena.

Mr. GUNTER. [Handing documents.] By introduction of these documents I do not waive any rights or legal defense I might have under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States.

The CHAIRMAN. You mean, you are producing the documents.
(Witness offers documents.)

The CHAIRMAN. Wait a minute. Let's get it straight. I thought you had refused to produce the documents. Let's just understand each other, Counsel. You are producing them with the reservation—

Mr. PHYFER. Over our objection. We do not waive any rights.

The CHAIRMAN. I take it, Mr. Gunter, and your attorney, you understand you are ordered by this subpoena to produce certain documents in your representative capacity stated in the subpoena. Is that correct?

Mr. GUNTER. Yes.

The CHAIRMAN. That being the case, I order and direct you to produce the documents.

Mr. GUNTER. I have just given them, am turning them over, over our objection.

The CHAIRMAN. In other words, Counselor, as I understand the position of your client, in response to the subpoena he is now producing the documents he has just handed over to Mr. Appell, but he produces them today under reservation of all his rights under amendments—what?

Mr. PHYFER. First, fourth, fifth, and fourteenth amendments.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Gunter, do the two ledger books which you submitted to the committee in accordance with the provisions of the subpoena constitute records of accounts receivable and payable and describe the customers for the accounts receivable and payable according to your business records?

Mr. GUNTER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Gunter, are the documents that you have just handed over to Mr. Appell all of the documents called for by the subpoena?

Mr. PHYFER. May I have a short conference with you?

The CHAIRMAN. Yes.

(Conference off the record.)

The CHAIRMAN. The pending question is a simple one and it is this, as directed by me: Are the documents that you have produced all of the documents called for by the subpoena? It is a "yes" or "no" question I am asking.

Mr. GUNTER. Sir, I have access to additional records as implied by the subpoena, but due to the bulk and weight of individual records and the expense of bringing these records, I was physically and financially unable to bring such records with me today. I respectfully will make said records available to the committee. This committee may have access to these records.

The CHAIRMAN. Do you understand that the documents sought by the subpoena are only documents dealing with Klan operations?

Mr. GUNTER. For the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I am advising you and telling you that the only documents this committee would be interested in would be those dealing with Klan activities. And you force me to ask this question: Have your dealings with Klan activities been such that the records you have would be too voluminous, too expensive, for you to bring here?

Mr. GUNTER. Sir, for the same reasons previously stated, I respectfully decline to answer that question.

Mr. PHYFER. May I ask something, sir, off the record?

The CHAIRMAN. Off the record.

(Discussion off the record.)

The CHAIRMAN. Mr. Gunter, do I understand your business is printing, et cetera?

Mr. GUNTER. For reasons previously stated, I respectfully decline to answer this question.

The CHAIRMAN. I understand that you are the owner of the Capital Blueprint & Supply Co. I take it, therefore, and I assume, that the subpoena orders you to produce documents for Klan organizations dealing with Klan activities, and if your business is broader than that, we are not interested in those other documents.

Mr. GUNTER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Assuming again, I am presuming, I am generally following what has transpired thus far that is relative to the import of the subpoena: Then I ask you whether your printing material, documents, pamphlets, flyers, or whatever, are so extensive that it would be too bulky for you to bring to Washington?

(Witness confers with counsel.)

Mr. PHYFER. Would you repeat the question, please?

The CHAIRMAN. Read it.

(The question was read by the reporter.)

Mr. GUNTER. Sir, I have access to additional records as required by the subpoena, but due to the bulk and weight of said records and expense of bringing these records, I was physically, financially, unable to bring such records with me today. I respectfully will make said records available to this committee. This committee may have access to said records at any time.

The CHAIRMAN. If I am correct, that this type of business dealt with Klan organizations, the printing of material, flyers, pamphlets, and so on, then I ask you did you keep a copy of each set, and is it an accumulation, or the whole of these, which is so bulky that you cannot produce?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

(At this point Mr. Clawson left the hearing room.)

The CHAIRMAN. Could you produce at least the invoices that you sent in each instance to fulfill whatever order was given to you to print?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Gunter, from the two ledger books that you supplied this morning, have any pages been removed since the date that you received your subpoena?

(Witness confers with counsel.)

Mr. PHYFER. Would you repeat that question?

Mr. APPELL. Yes.

The two ledger books that you produced this morning or this afternoon—have any pages been removed from either of these books since the date that you received your subpoena?

(Witness confers with counsel.)

Mr. GUNTER. Not to my knowledge.

Mr. APPELL. Mr. Gunter, many entries in your sales journal are identified only by invoice numbers. Are these invoices maintained by you as a part of the records which you could not bring because of their bulk?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. APPELL. Are these invoices among the documents which you have in your possession which you offered to make available to the committee or to a representative of the committee to review in your offices in Jackson, Mississippi?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Gunter, in May 1965, did you receive a loan for the operation of your business from the Small Business Administration of the United States Government?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Could you tell us or estimate in dollars and cents the amount of business in the shape of printing that you did with the various Klan organizations?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Gunter, I hand you a document described "My Fellow American." This is on its face published in the interest—it says, "Here are Twenty Reasons WHY you should, if qualified, join, aid and support the White Knights of the KU KLUX KLAN of Mississippi."

Did you print this document?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

(Document marked "Thomas Gunter Exhibit No. 1" appears on p. 2747.)

Mr. APPELL. I hand you a copy of a printed document headed "The KLAN Ledger, Special Gulf Coast Edition, Pre-4th of July," and another, a printed "KLAN Ledger," dated July 4, 1964, both documents state on their masthead that they are official publications of the White Knights of the Ku Klux Klan of Mississippi. Did you print those documents?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

(Documents marked "Thomas Gunter Exhibits Nos. 2 and 3." respectively. See pp. 2754-2759.)

THOMAS GUNTER EXHIBIT NO. 1



My Fellow American



Here are Twenty Reasons WHY you should, if qualified, join, aid and support the White Knights of the KU KLUX KLAN of Mississippi:

1. Because it is a Christian, fraternal and benevolent organization.
2. Because it is a democratic organization, governed by its members.
3. Because it is a dedicated and just organization.
4. Because it is a working organization which not only talks but ACTS.
5. Because it is a very secret organization and no one will know that you are a member.
6. Because it is a legal organization and no one can be prosecuted for being a member.
7. Because it is a politically independent organization, and is not pledged to any political party.
8. Because it is a Pro-American organization that opposes any thing, person or organization that is Un-American.
9. Because it is an organization that is sworn to uphold the lawful Constitution of the United States of America.
10. Because it is composed of native-born, white, gentle and protestant American citizens who are sound of mind and of good moral character.
11. Because the goals of the KKK are the total segregation of the races and the total destruction of communism in all its forms.
12. Because the KKK has twice saved this nation from destruction as history clearly records.
13. Because there comes a time in the life of every man when he has to choose between the right or wrong side of life.
14. Because there are today many alien forces entering the United States of America bent upon its destruction.
15. Because it informs its members, and an informed citizen is a good citizen.
16. Because a Christian-like brotherhood among men must be revived in America.
17. Because one of the goals of the KKK is States' Rights and complete State Sovereignty.
18. Because neither the Conservatives nor the Liberals will save our nation, for patriots always save a nation.
19. Because it is clear now that if communism is to be defeated in America it will be done in the South and primarily in Mississippi.
20. Because the KKK needs you today to help fight America's battles.

The White Knights of the KU KLUX KLAN of Mississippi is, of course, a SECRET organization. The administration of our National Government is now under the actual control of atheists who are called Bolsheviks by nature. As dedicated agents of Satan, they are utterly determined to destroy Christian Civilization and all Christianity. We have nothing dishonorable to hide, but we must remain SECRET, for the protection of our lives and families.

All of our members must meet a strict set of requirements:

We are looking for, and enlisting ONLY: Sober, intelligent, righteous, Christian, American, White men who are consciously fully aware of the basic FACT that their physical life and holy destiny are absolutely bound up with the Survival of this Nation, under God. Our governmental principles are precisely those of the ORIGINAL U. S. Constitution. Our members are Christians; are anxious to preserve not only their souls for all Eternity, but are MILITANTLY DETERMINED, God willing, to save their lives, and the Life of this Nation, in order that their descendants may enjoy the same, full, God-given blessings of True Liberty that have been permitted to enjoy up to now.

We do not accept Jews, because they reject Christ, and, through machinations of their International Banking Cartel, are at the center of what we call "communism" today.

We do not accept Papists, because they bow to a Roman dictator, in direct violation of the First Commandment, and the True American Spirit of Responsible, Individual Liberty.

We do not accept Turks, Mongols, Armenians, Orientals, Negroes, any other person whose native background of culture is foreign to the Anglo-Saxon system of Government by responsible, FREE, individual Citizens.

Our governmental system is a Constitutional Republic, primarily designed to protect the Responsible, Individual Citizens from all tyranny; which selects its representatives by both the direct and the indirect Democratic process; and recognizes the necessity for the existence of an effective Loyal Opposition to any current Administration. This type of Governmental System is unique, and found only where Anglo-Saxons control the Governmental Machinery of a Nation. With rare exceptions, people of other backgrounds simply cannot comprehend the Anglo-Saxon principle of "Equal Justice under Law" and the fact that EVERY "Right" must be balanced by an accompanying Responsibility. The inherent balance and reason of this system has little or no attraction for these persons of alien culture. They generally prefer to shirk Individual Responsibility, grab up as much material wealth as they can, and accept Centralized Authority and Dictatorship, in the hope that they can buy special favors and privileges for themselves.

The conflict between these two attitudes has now become a Life and Death matter in America. The people of the non-American cultures CAN and COULD live under the Anglo-Saxon System, but they prefer to see it destroyed. The true American Anglo-Saxons, on the other hand, CAN NOT live under a Dictatorship!

The issue is clearly one of personal, physical SELF-DEFENSE or DEATH for the American Anglo-Saxons. The Anglo-Saxons have no choice but to defend our Constitutional Republic by every means at their command, because it is, LITERALLY, their LIFE. They will die without it.

If you are a Christian, American Anglo-Saxon who can understand the simple Truth of this Philosophy, you belong in the White Knights of the KU KLUX KLAN of Mississippi. We need your help right away. Get your Bible out and PRAY! You will hear from us.

Mr. APPELL. I hand you—I do not know what to call it—a billboard of thing. It says, "I WANT YOU in the White Knights of Mississippi Ku Klux Klan." Did your shop print that?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Document marked "Thomas Gunter Exhibit No. 4," follows:)



The CHAIRMAN. Is not that document a simulation or an imitation of the very familiar—of one of our most famous posters, showing a Klansman instead of Uncle Sam, “I want you”—Armed Forces poster, in effect?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't that really a deliberate imitation of that famous poster—and just a few days ago there was a very enlightening review of the various posters used during several wars we were engaged

in—where this one, at least the one this poster seems to deliberately imitate, shows instead of Uncle Sam a Klansman and the familiar hat next to it, apparently simulating the flag of the United States in the form of a hat?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do these journals and books you have presented, and we will examine them, indicate on their face and to your knowledge that you were printing material for the Klans under front—phoney front—cover names?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Gunter, I am having a very difficult time understanding, and the reason I based the earlier question to you, if you want to go through this ledger book here and look at the various items, you have to keep turning it around because they read down this way, and they get into another section and they read another way. Has this book been reassembled since the date you got your subpoena?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. SENNER. Mr. Chairman, may I ask this question?

Mr. Gunter, is there anything in there, in any of these ledgers, dealing with any printing, billing, accounts receivable, accounts payable, for Klan work? If so, where would this committee find it? What page?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

The CHAIRMAN. Would you be willing to sit with a member of our staff, an investigator, and try to point out what items in the journal and the ledger have to do with billings for Klan activities, and if you are engaged in other business, billings for other matters?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

The CHAIRMAN. Then, Mr. Gunter, I tell you that you have produced these books under certain reservations, whatever they mean, whatever significance they have, and I tell you that we have made note of the offer to have your records examined, and without prejudice to the legal rights of this committee under that subpoena, we will consider what action we will take.

Mr. APPELL. Mr. Gunter, are you now, or have you ever been, a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. APPELL. Do you employ a Karl Summers and a Joe Allen and do you know them to be members of the Klan?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Have you done printing work for the White Christian Protective and Legal Defense Fund?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. I hand you four checks, payable from the account the White Christian Protective and Legal Defense Fund.

payable to Thomas E. and/or Tommy Gunter, and I ask you if you are the Thomas E. Gunter to whom these checks were made payable and if it is your endorsement on the reverse thereof.

(Witness confers with counsel.)

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

(Documents marked "Thomas Gunter Exhibit No. 5" and retained in committee files.)

The CHAIRMAN. Mr. Gunter, do you understand that the committee is interested in Klan activities; that we are not the least concerned with, or interested in, whatever endeavor you engaged in outside of business activities with the Klan, but with whatever connection you had with the Klan? Do you understand that?

Mr. GUNTER. Sir, for that reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I am telling you that, because I do not or would not take it with grace on your part if outside this hearing room you would say that we are trying to interfere with the freedom of the press and private business or anything else. I am telling you this is our interest. Do you intend to make any such statement?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. SENNER. Mr. Chairman, may I ask the witness a question? Could you tell us where those checks that you received are listed in the ledger or accounts receivable?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. SENNER. Are they listed in the ledger?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Gunter, the checks made payable to you were co-signed by H[arvey] H. Heredeen and Elmore D. Greaves.

Do you know these gentlemen?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Gunter, I put it to you as a fact, and ask you to affirm or deny the fact, that you have held membership in the White Knights of the Ku Klux Klan of Mississippi?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. I ask you if you are today a member of the White Knights of the Ku Klux Klan of Mississippi.

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Gunter, you were served with this subpoena to produce these documents on when?

Mr. APPELL. November 8.

The CHAIRMAN. November 8, 1965, which is over 2 months ago.

I think it was only this morning—and if counsel will disagree I hope he would say so—that Mr. Appell or members of the staff were told about the so-called bulkiness of the records, and as far as this committee is concerned, it was only upon your taking the stand that

the members knew about your position that you have outlined, that the records are too bulky and it would be too expensive for you to bring them to Washington. I want to advise you that in our opinion you were under obligation a long time ago to advise the committee that would be your position. At the last minute, here is the day of compliance, here is the day on which you were required and expected to comply with the command of the subpoena, and you give that explanation. I think, if for no other reason, fairness required you to communicate with the committee before this.

So in order for the committee eventually to determine the question of possible citation for contempt, I want to ask you two or three questions. How bulky are those documents in weight since you talk about weight? For example, how many pounds?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer this question.

The CHAIRMAN. What would have been, or what would today be the cost to send them to Washington by express?

Mr. GUNTER. What was that question again, Mr. Willis?

The CHAIRMAN. What would be the cost to ship these documents to Washington by express?

Mr. PHYFER. Mr. Willis, may I say something I think will clarify this. My client, Mr. Gunter, did not employ me until Monday afternoon at 4 o'clock.

The CHAIRMAN. What I have to say never involves an attorney who represents a witness, as you are now representing one, to give him the best advice.

Mr. PHYFER. He did not have the advice to produce such records until Monday of this week. I left for Washington—

The CHAIRMAN. Say that again.

Mr. PHYFER. He did not have the advice that he has now, is one reason that he did not produce these records.

The CHAIRMAN. You mean advice from legal counsel?

Mr. PHYFER. Yes, sir.

The CHAIRMAN. But he had been subpoenaed since November. Yet he was only given the advice, did you say, not to comply since you were employed?

Mr. PHYFER. No, sir, I did not say that.

The CHAIRMAN. I do not want to put words in your mouth. Let me understand you.

Mr. PHYFER. What I tried to say, Mr. Willis, was that he only employed counsel on Monday afternoon. He just employed counsel on Monday afternoon.

The CHAIRMAN. Then I ask you to answer that question. What would be the cost to ship those documents to Washington?

(Witness confers with counsel.)

Mr. GUNTER. Mr. Willis, I do not have any idea, but I know it would be a tremendous amount to bring them in.

Mr. SENNER. Mr. Chairman, would that be \$100? What is a tremendous amount? Let us get down to dollars and cents.

Mr. GUNTER. It could be a hundred or more than a hundred.

Mr. SENNER. How much more than a hundred; two hundred?

(Witness confers with counsel.)

Mr. GUNTER. I do not know exactly, but it was more than I had the money to bring it here.

Mr. SENNER. You told this committee under oath that because of the bulkiness and the cost that you could not afford the financial burden to bring the records here. How did you determine that financial burden?

(Witness confers with counsel.)

Mr. GUNTER. I would say it is approximately around 3,000 pounds. That is just a rough guess.

Mr. SENNER. Is that the Klan records as requested by the subpoena?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. SENNER. Then I take it from your response that it would be all your records, from the previous question before you took or invoked the fifth amendment.

Mr. GUNTER. Sir, for the previous reason stated, I respectfully decline to answer that question.

The CHAIRMAN. In order to determine, we might consider sending someone to Mississippi or having the records subpoenaed sent here to determine ultimately the question of the compliance or noncompliance with the subpoena. But let me ask you this: Are your records kept in such a way that our inspectors could separate the wheat from the chaff, look at those pertaining to Klan activities, because you are in the Klan from our information, and those pertaining to other aspects of the business if you have any other aspect?

Mr. GUNTER. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did he invoke the privilege?

Mr. PHYFER. Yes, sir.

The CHAIRMAN. I call your attention, sir, to section 1505 of title 18 of the United States Code, generally entitled "Obstruction of proceedings before departments, agencies, and committees," and call your attention to the following pertinent passage:

Mr. SENNER. [Reading:] "Whoever corruptly"—

The CHAIRMAN. I am asking Mr. Senner to read because he perused that document.

Mr. SENNER. [Continues reading:]

Whoever corruptly, * * * obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department or agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

Counsel and Mr. Witness, calling your attention to the United States Supreme Court case of *Arthur McPhaul*, Petitioner, versus *United States of America* on page 7 thereof—

"if [petitioner] had legitimate reasons for failing to produce the records of the association, a decent respect for the House of Representatives, by whose authority the subpoenas issued, would have required that [he] state [his] reasons for non-compliance upon the return of the writ." * * * "To deny the Committee the

portunity to consider the objection or remedy it is in itself a contempt of its authority and an obstruction of its processes. * * *

This case involved this very committee. You made no such request this committee for financial aid to ship those records up here, have you, Mr. Witness?

Mr. GUNTER. No, sir.

Mr. SENNER. Or have you notified this committee in any respect that you were financially unable to bring the records up here either because of its bulkiness or the cost to you?

(Witness confers with counsel.)

Mr. GUNTER. I did not know that I was supposed to.

Mr. SENNER. You do now, don't you?

Mr. GUNTER. Yes, sir.

Mr. SENNER. You say it is 3,000 pounds and approximately \$200?

Mr. GUNTER. I would say that, approximately.

Mr. SENNER. And you are not financially able to bear that cost?

Mr. GUNTER. No, sir.

Mr. SENNER. Now going back to this original question on which I do know the law, you know what you have to do in the petition, when we talk about 3,000 pounds and \$200, are we talking about records requested by this committee by virtue of the language in the subpoena concerning the Klan?

(Witness confers with counsel.)

THE CHAIRMAN. That statement, of course, does not require any response.

My statement and that of Mr. Senner was an admonition of the problem presented and the problem this committee is confronted with, which is not to be construed as a decision thus far, as a committee determination. But I will repeat that this committee does not consider which transpired here today to be a compliance, and in the light of the offer made by you, Mr. Gunter, I repeat that the committee reserves its position as to future course of conduct pursuant to that subpoena. Furthermore, you are now continued under subpoena. You are not discharged. I order you to return before this committee on February 1, 1966, unless in the meantime you are notified to the contrary.¹ And that day, of course, have with you the records commanded by the subpoena.

Mr. GUNTER. Mr. Willis, I was not doing this in any disrespect to the committee or anything else. It was strictly in ignorance. I did not know that I could ask for the money and bring them here.

THE CHAIRMAN. I do not know that if you had asked for money it would have been supplied, but at least we would have had an opportunity to have a dialogue on the subject to try to resolve what, at the minute, is thrown in our lap. The witness is continued under subpoena until the time indicated.

What is that it?

Mr. APPELL. For this witness, yes, Mr. Chairman.

¹ Gunter reappeared before this committee on February 1 in an executive session. His testimony has not been released.

(Thomas Gunter exhibits Nos. 2 and 3, introduced on p. 2746, follow:)

THOMAS GUNTER EXHIBIT No. 2

The KLAN Ledger

An Official Publication of the WHITE KNIGHTS OF THE KU KLUX KLAN of Mississippi
DEDICATED TO THE PRESERVATION OF CHRISTIAN CIVILIZATION

SPECIAL GULF COAST EDITION

PRE-4TH OF JULY

The black savages have threatened that they intend to turn the Gulf Coast into the Congo Coast on the 4th of July. All residents and merchants are hereby cautioned to be extremely careful and alert to any threat of gangsterism or hoodlumism in the Coast area on that date. We are not going to have a duplication of the street fights and chaos that have been going on in St. Augustine and Jacksonville. We are hereby advising all white persons who are not members of the duly-authorized police forces of these State and local jurisdictions, or their lawfully deputized deputies or auxiliaries, to stand back and to avoid conflict or contact with these communist-led black savages, in any way, shape, or form. National police agents, under the direction of Bobby Kennedy, will be present with cameras to take pictures of the violence which they hope to be able to provoke. These people want Mississippi placed under martial law, and they are counting on the unorganized white people on this coast to engage in open street fights with the blacks, which will provide them with an excuse. Do not fight with the blacks. Avoid trouble. Run and get the police if the blacks show up. Help the police by keeping calm and staying out of their way while they are working on the arrests. Be very careful at all times. Get women and children out of trouble areas immediately. Talk trouble DOWN, not up. PROVE your white supremacy by showing that you have Brains as well as courage. Remember that the blacks

cannot accomplish anything unless they can cause a disturbance. Remember that they WANT you to fight with them. Keep cool-headed and beat them. The White Knights of the KU KLUX KLAN make a solemn promise to the white people of the Mississippi Gulf Coast that if they will ignore and frustrate the blacks on the 4th of July and let the duly authorized officers of the law handle them, that we Knights will deal the leaders of these mobs a true brand of justice for the humiliation and sorrow you are suffering today. We do not want open trouble and street warfare (or beach warfare) on the Coast on July 4th. We strongly advise all white people to stay out of trouble with the blacks. Needless to say, we will have our agents all over the coast on that date observing both white and black trouble makers for future reference. We repeat, we want NO open fighting with the blacks on this coast. Heed the advice of the Klan. Do not be misled by imposters.

When the black mobs come to your town, do as we hereby advise: **DO NOT go out into the streets or to town and try to fight them.** No matter how well armed you are, you should stay at home and look after the safety and welfare of your own family.

DO NOT go out looking for trouble. Protect yourself and your family. Arm yourself well and stay at home. Do not fire unless your home, your person or your family is attacked. Do not submit to having your guns confiscated. Defend

THOMAS GUNTER EXHIBIT No. 2—Continued

yourself as a Christian, American patriot should, but do not go out hunting trouble with the Communist-led black savages. Do not get panicky and do not worry. If our politicians haven't the courage and moral fiber to stand up and fight integration and Communism with the law as their shield, the Christian citizens of this state will form disciplined ranks to provide protection for our civilization.

Please remember: Support your local police. We must stand behind our local officers of law and against the scummy disciples of dictatorship such as Bobby Kennedy, Nick Katzenback, John Doar, McShine, Burke Marshal, Fidel Castro, St. John Barrett, Phillip Savage and N. Kruschev.

"Tonight, after you read this, get a copy of the Constitution of the United States and your Holy Bible. Read and study both of them seriously and well, and keep on doing it every day, every night from now on. Then pour out your heart in prayer to Almighty God for relief and help against the forces of Satan. This is the only way in which we can win, and we will win if we align ourselves with Almighty God!

The White Knights of the Ku Klux Klan of the Sovereign Realm of Mississippi is a Christian organization. We do not believe in, nor do we commit acts of unlawful violence. We employ physical force only in defence of our Christian civilization; and even then, without malice or vengeance.

In a debate with Judge Douglas at Charleston, Illinois, September 18, 1858, Mr. Abraham Lincoln expressed his views and his stand on the racial question, in part as follows:

"I am not nor ever have been in favour of bringing about in any way the social and political equality of the white and black races! I am not nor ever have been in favour of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people. I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality; and inasmuch as they cannot so live, while they do remain together there must be the position of the inferior and superior, and I am, as much as any other man, in favour of having the superior position assigned to the white race."

Dedicated to maintain and extend the dignity, heritage and rights of the White Race of America.

Thomas Jefferson, Benjamin Franklin, John Adams, James Monroe, even Booker T. Washington favored segregation. **DON'T DESTROY**—Pass it along—Enclose in your letters—Give to your pastor, your politician, your school teacher. Maintain the dignity, heritage and rights of the White Race.

THOMAS GUNTER EXHIBIT No. 3

THE KLAN Ledger

An Official Publication of the WHITE KNIGHTS of THE KU KLUX KLAN of Mississippi

DEDICATED TO THE PRESERVATION OF CHRISTIAN CIVILIZATION

JULY 4, 1964

We are now in the midst of the "long, hot summer" of agitation which was promised to the Innocent People of Mississippi by the savage blacks and their communist masters. On this Famous Date, the Anniversary of the founding of the American Republic, under the auspices and blessings of Almighty God, we ask that each Mississippian, each American, get down upon his knees and offer up thanks to our Creator, Savior and Inspiration for his manifold grace and blessings.

THIS THEN IS OUR PRAYER

OUR FATHER, GOD OF LIFE AND LIBERTY, WE HUMBLY THANK THEE FOR THE STRENGTH, COURAGE AND INTELLIGENCE WHICH THOU HAST GIVEN TO OUR PERSECUTED PEOPLE. WE THANK THEE THAT OUR SATANIC ENEMIES, THE DOMESTIC COMMUNISTS WHO OCCUPY THE SEATS OF POWER IN OUR GOVERNMENT HAVE FAILED TO PROVOKE THE VIOLENCE IN OUR GREAT STATE WHICH WOULD BRING DOWN MARTIAL LAW AND COMPLETE DICTATORSHIP. THANK YOU O LORD, FOR OPENING THE EYES OF ALL THE GOOD PEOPLE OF OUR GREAT NATION TO THE EVIL WHICH HAS BEEN FORCED UPON US. HELP US TO OVERCOME OUR ENEMIES, KEEP OUR FEET ALWAYS UPON THE PATH OF RIGHTEOUSNESS, AND PURGE OUR HEARTS FROM MALICE AND VENGEANCE, GIVE OUR ARMS THE STRENGTH, OUR HEARTS THE COURAGE, AND OUR MINDS THE WILL TO DESTROY THESE AGENTS OF SATAN. WE THANK THEE FOR THE RAINS WHICH HAS NOURISHED OUR CROPS AND THY SPIRIT WHICH MAKES THEM GROW. BLESS AND KEEP ALL OF US, THY CHILDREN, AND MAKE US WORTHY OF THY INFINITE BLESSINGS. WE ASK, IN THE NAME OF THY SON, CHRIST JESUS, WHO TAUGHT US HOW TO LIVE AND DIE FOR THY KINGDOM HERE ON EARTH. AMEN.

The recent events in Neshoba County and Statewide call for a message to the general public and the citizens of the great State of Mississippi. The arch-traitor and long-time betrayer of patriots the world over, Dulles, has used his lying tongue to try and convince the American Public that this organization was involved in the so-called "disappearance".

We were NOT involved, and there was NO DISAPPEARANCE. Anyone who is so simple that he cannot recognize a communist hoax which is as plain as the one they pulled on Kennedy in Dallas (and which Earl Warren is working so hard to cover-up), had better do a little reading in J. Edgar Hoover's primer on communism; "MASTERS OF DECEIT".

We refuse to be concerned or upset about this fraud. What we are concerned about is the welfare of the citizens of the State of Mississippi. The trip by Dulles was calculated to bring us nothing but harm. Dulles and his communist friends insist that there is a "racial problem" in Mississippi which they want to "solve". There is no racial problem here in this state. Our system of strict se-

THOMAS GUNTER EXHIBIT NO. 3—Continued

gregation permits the two races to live in close proximity and harmony with each other and eliminates any racial problem. What the communists are so anxious to do is to create a RACIAL ISSUE, and expand the issue into a bloody revolution. This is why Dulles came into this State. While here he planted the seed into the stream of our life which they hope will blossom into violence. The seed is the suave insistence that "BI-RACIAL GROUPS and COMMITTEES" be formed to "work out" a "solution" to the "racial problem". All citizens must immediately place themselves on the alert against the formation or recognition of any such group in their community. Bi-racial groups are the greatest danger we face in this State today. These groups have absolutely no legal standing whatsoever. Experience has shown that whenever they are formed, they immediately set to work and negotiate the lawful rights of the people away in phony agreements which they have absolutely no right to enter into. Bi-racial groups have brought violence and bloodshed to every area in which they have been recognized. The surest way to have violence in Mississippi is for anyone to give any weight or recognize the authority of a bi-racial group. Any public official who recognizes or negotiates with any such bi-racial group is exceeding his authority and working against the people who elected him.

We are going to serve notice that we are not going to recognize the authority of any bi-racial group, NOR THE AUTHORITY OF ANY PUBLIC OFFICIAL WHO ENTERS INTO ANY AGREEMENT WITH ANY SUCH SOVIET ORGANIZATION. We Knights are working day and night to preserve Law and Order here in Mississippi, in the only way that it can be preserved: by strict segregation of the races, and the control of the social structure in the hands of the Christian, Anglo-Saxon White men, the only race on earth that can build and maintain just and stable governments. We are deadly serious about this business. We have taken no action as yet against the enemies of our State, our Nation and our Civilization, but we are not going to sit back and permit our rights and the rights of our posterity to be negotiated away by a group composed of atheistic priests, brainwashed black savages, and mongrelized money-worshippers, meeting with some stupid or cowardly politician. Take heed, atheists and mongrels, we will not travel your path to a Leninist Hell, but we will buy YOU a ticket to the Eternal if you insist. Take your choice, SEGREGATION, TRANQUILITY AND JUSTICE, or, BI-RACISM, CHAOS AND DEATH.

Race consciousness is not racial hatred, nor is it intolerance. It is a deeply ingrained awareness of a birthright held in trust for posterity. No man is immoral who is proud of his race, his birthright, and who promotes it as a positive principle. If this has not been proven to you, then how did Israel become a great nation; why did Edom fade into oblivion? No truly intelligent person can treat with indifference the principle of race, for it is the key to history.

The Holy Writ is very clear on the master-servant relationship. Each party has his duty and responsibility, one toward the other. All true Christians are Brothers in Christ, but their social equality is determined by individual choice and voluntary association. The Scripture simply does not teach the social equality of men here on earth. Social equality simply cannot be just. One must lose, and one must gain if we men are to be socially equal. This is not to be confused with the "created equal" clause of the Declaration of Independence. That is equality under Law which prevents the authority of government from

THOMAS GUNTER EXHIBIT NO. 3—Continued

being applied with more favor to some men than to others. Equality under Law is a benefit to all men. It helps all and hurts none, since the tyrant who enforces the unjust Law is actually just as much hurt by the injustice (although he may feel it less) as the serf upon whom the injustice may fall. Equality under the Law is Justice. Social Equality among men is bound to contradict Equality under Law and is therefore inherently unjust. Any attempt to achieve Social Equality by using the mechanism of the Law is a negation of the basic purpose of American Law. Those who believe that the majority should always rule evidently approve of the logic which led to the Crucifixion. Jesus stood alone before the mob. A street riot was threatened unless he was to be given up for death. Pilate wanted "peace" (How often have we heard this). The mob had their way. The majority ruled. Christ, the Sinless One, went to the Cross. Do not be fooled by these politicians. PURE DEMOCRACY EQUALS DICTATORSHIP. Who ever hears of a mob without a leader? Just because that leader may commit his crimes in the "name" of the majority, is the injustice any less than if he were a KING committing those same crimes in the name of Divine Right. America is not a Democracy where the mob rules. America is a Constitutional Republic where the LAW rules; and where properly, God fearing, Bible reading men, administer the governmental offices, after being duly elected to office by the Democratic PROCESS.

HISTORY SHOWS THAT THERE IS BUT ONE WAY TO DEAL WITH DICTATORS.

We must take the Constitution of the United States of America as our guide in dealing with all gangsters. That is why we have it. That is why James Madison, Ben Franklin, George Washington, Patrick Henry and the others labored so hard to build it. THEIR CONSTITUTION WAS AN UNQUALIFIED SUCCESS. Its purpose was and is to make it impossible to set up a Dictatorship in America WITHOUT VIOLATING ITS CLEAR SPIRIT, PRINCIPLES AND LANGUAGE. THE CONSTITUTION BELONGS TO THE PEOPLE. It is not the property of any Court, Congress or Executive Officer. That is why it was written in CLEAR, SIMPLE LANGUAGE and given wide distribution, so that the honest individual citizen would have a yardstick to measure the thugs and scoundrels whom the founders of our constitution knew were BOUND TO GET INTO PUBLIC OFFICE. The Constitution is the Basic Power of all governmental authority in America. It is the Supreme Law of the Land. It establishes the principle that this is a government of Laws and not of men. The Supreme Court gets all of its power from the Constitution. The Congress gets all of its power from the Constitution. The President gets all of his power from the Constitution. If those who sit on the bench of the Supreme Court depart from the Constitution then they are NOT the Supreme COURT. If the cravens who sit in the seats of Congress depart from the Constitution - then they are NOT the Congress. If the men who sits in the White House departs from the Constitution - then he is NOT the President. THIS principle is the Spirit of American Liberty. It is what government by LAW and not by men MEANS. Any officer of governmental standing who departs from the CLEAR Principles of the Constitution automatically thereby cuts off the source of his lawful power and becomes nothing more than an armed thug, regardless of how many marshalls or troops he may command. If in any such unconstitutional situation, any marshalls or troops engage in any violence against a citizen of this State while attempting to force him to comply with some unlawful order, he will be committing a FELONY against the Peace and Dignity of Mississippi and America.

THOMAS GUNTER EXHIBIT NO. 3—Continued

the WHITE KNIGHTS OF THE KU KLUX KLAN are bound by oath to persevere, protect and defend the Constitution of the United States of America by reason and by force, if necessary. The Constitution is our guide, and ALMIGHTY GOD is our strength. George Washington once said: "The people know that men cannot govern without the Bible". There never has been an atheist, no matter how intelligent, who could design a practical system of ethics which could displace the fundamental, spiritual principles of Christian Morality as a guide for society. The failure of these atheists is everywhere around us, exposed to view in the courts and in public office. It is not America that has failed. It is not Christ that has failed. It is not the Constitution nor the Bible that has failed. It is the atheists who think that they can govern without the BIBLE and the LAW who have failed.

In regard to the actual position and intentions of the WHITE KNIGHTS OF THE KU KLUX KLAN OF MISSISSIPPI with regard to the "racial problem" and the so-called communist conspiracy we hereby issue the following statement:

Let none forget today or ever that we are the Physical and Spiritual heirs of the world's first and last True Revolution. Let the word pass to friend and foe alike, telling that the Torch of Liberty and Justice has been passed to a new generation of Americans, nourished in adversity - tempered in hellish and fruitless war - humbled by Christianity - aroused in militant determination to close with and destroy the enemies of America. Proud are we of our Ancient and noble heritage, unwilling to witness or permit the slow or rapid unbuilding and destruction of our Inalienable rights. Secure in the knowledge that Almighty God intended for his children to live free of the malicious will of other men, we state that these rights are not negotiable, that since they are given by God, they cannot be taken from us by any man, or mob of men, calling themselves a government, a party, a proletariat or body politic. With a firm and humble reliance on the protection of Almighty God, we candidly repeat the warning of our forefathers: 'Don't tread on me'."

THIS IS WHY WE HAVE THE WHITE KNIGHTS OF THE KU KLUX KLAN OF MISSISSIPPI.

In a debate with Judge Douglas at Charleston, Illinois, September 18, 1858, Mr. Abraham Lincoln expressed his views and his stand on the racial question, in part as follows:

"I am not nor ever have been in favour of bringing about in any way the social and political equality of the white and black races! I am not nor ever have been in favour of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people. I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality: and inasmuch as they cannot so live, while they do remain together there must be the position of the inferior and superior, and I am, as much as any other man, in favour of having the superior position assigned to the white race."

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Thomas Jefferson, Benjamin Franklin, John Adams, James Monroe, even Booker T. Washington favored segregation. DON'T DESTROY—Pass it along—Enclose in your letters—Give to your pastor, your politician, your school teacher. Maintain the dignity, heritage and rights of the White Race.

The CHAIRMAN. Call your next witness.

Mr. APPELL. Mr. Harvey H. Heredeen.

The CHAIRMAN. As chairman of the full Committee on Un-American Activities, I hereby, for the purposes of the balance of the hearing this afternoon, constitute a special subcommittee of three composed of myself, as chairman, Mr. Weltner, and Mr. Senner.

Let it be known that all three are now present and that, as we go along, two will constitute a quorum.

Proceed.

Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HEREDEEN. I do.

TESTIMONY OF HARVEY HERMAN HEREDEEN, ACCOMPANIED BY COUNSEL, JIM PHYFER

Mr. APPELL. Would you state your full name for the record?

Mr. HEREDEEN. Harvey Herman Heredeen.

Mr. APPELL. H-e-r-e-d-e-e-n?

Mr. HEREDEEN. That is correct.

Mr. APPELL. Are you appearing here today, Mr. Heredeen, in accordance with a subpoena served upon you on November 6, 1965, at 4613 Jiggetts Road, Jackson, Mississippi, by Mr. Sullivan, an investigator of this committee?

Mr. HEREDEEN. Yes, sir, I am.

Mr. APPELL. J-i-g-g-e-t-t-s?

Mr. HEREDEEN. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. HEREDEEN. I am.

Mr. APPELL. Will counsel identify himself for the record?

Mr. PHYFER. Jim Phyfer, 518 East Pascagoula Street, Jackson, Mississippi.

Mr. APPELL. Mr. Heredeen, when and where were you born?

Mr. HEREDEEN. I was born in Eastford, Connecticut, October 9, 1895.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. HEREDEEN. I completed the ninth grade of grammar school in Saugus, Massachusetts, and since then I have studied quite a bit in the U.S. Navy.

Mr. APPELL. Would you give the committee a brief résumé of your employment background?

Mr. HEREDEEN. Since what period, sir?

Mr. APPELL. Well, you spent quite a bit of time in the U.S. Navy?

Mr. HEREDEEN. Twenty-five years active duty in the Navy.

Mr. APPELL. And I assume that covers the greater part of your employment background, so, if you will start with the number of years that you spent in the Navy, and when you retired, and your employment thereafter, I think that would take care of it, sir.

Mr. HEREDEEN. I am a veteran of World War I. I went into the Navy in 1917 and I am a veteran also of World War II. I have 25 years

active duty, 12 years of which was submarine duty. I retired on 30 years in 1948 and went to work at that time—in '46 I went to work for the American Oil Company in Jackson, Mississippi. I worked for the American Oil Company for 17 years. The last 10 years I was office manager in the American Oil Company division office in Jackson, Mississippi.

Mr. APPELL. Are you presently employed by them, sir?

Mr. HEREDEEN. I am retired now. I haven't hit a lick since 1963, January 1st.

Mr. APPELL. Mr. Heredeen, the subpoena served upon you, an attachment thereto made a part of the subpoena called upon you to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations namely the Mississippi Constitutional Council and the White Christian Protective and Legal Defense Fund in your possession, custody or control or maintained by you or available to you as an associate or affiliate member of the White Knights of the Ku Klux Klan of Mississippi.

I ask you, Mr. Heredeen, in the representative capacity set forth in paragraph 1, to produce the documents called for.

Mr. HEREDEEN. Sir, I object to the introduction of any records in the proceeding on the grounds of the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Well, that is not an answer to the question.

Mr. APPELL. Mr. Chairman, I ask the witness be directed—

The CHAIRMAN. I suppose you mean to say that you refuse to produce them on those grounds; is that correct?

Mr. PHYFER. Yes. No, sir. He said he objected.

The CHAIRMAN. Well, your objection is overruled. This is not the subject of an objection.

Mr. APPELL. I ask the witness be directed to produce the documents called for in paragraph 1 referred to.

The CHAIRMAN. Sir, you have been ordered to produce those documents in the representative capacity indicated in the subpoena. Do you understand that?

Mr. HEREDEEN. Yes.

The CHAIRMAN. If what you mean is that you refuse to produce the documents on the basis of the constitutional provisions you referred to, then I say that we reject and do not accept those provisions as the basis for your refusal and, accordingly, I now direct and order you to produce them.

Mr. HEREDEEN. By the introduction of these records, I do not waive any rights or legal defense that I have under the 1st, 4th, 5th, and 14th amendments to the Constitution of the United States of America, sir.

Mr. APPELL. Mr. Chairman, the record should show that Mr. Heredeen, in response to your direction, has produced bank ledger cards, retained copies of deposit slips, a certification of audit, copies of canceled checks and invoices.

The CHAIRMAN. Sir, are the documents you produced all the documents called for by the subpoena?

Mr. HEREDEEN. Sir, all the records that I have access of, custody or control of, have already been introduced into evidence.

(Documents marked "Harvey Heredeen Exhibit No. 1" and retained in committee files.)

The CHAIRMAN. That is not my question. My question is, Are those records all of the documents called for?

Mr. HEREDEEN. I do not have access, custody, or control over any additional records that were ordered by the subpoena issued to me.

The CHAIRMAN. In other words, your position is, if the subpoena called for more documents, those are all you have?

Mr. HEREDEEN. I have my income tax records here.

The CHAIRMAN. I am now referring to the part of the subpoena read by Mr. Appell. Your position is, as I understand it, that if the subpoena called for other records by this paragraph 1, then those you have produced are the only records you have called for by paragraph 1?

Mr. HEREDEEN. Yes, sir; that is right.

The CHAIRMAN. You said those are all the records you have. Did you have any further records since the service of the subpoena that you didn't produce for any reason, such as because you destroyed them or did away with them or by any other reason?

Mr. HEREDEEN. Mr. Willis, I do not have access, custody, or control of any additional records ordered by the subpoena issued to me.

The CHAIRMAN. Did you have access to, or control over, other documents when that subpoena was served? That is my point.

Mr. HEREDEEN. No, sir.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Heredeen, I hand you a—

The CHAIRMAN. There is not time for the staff to be expected to examine these documents in detail. After the documents have been analyzed and have served their purpose, they will be returned to you.

Proceed.

Mr. APPELL. Mr. Heredeen, through a subpoena duces tecum, the committee obtained from the Jackson-Hinds Bank, Jackson, Mississippi, banking records pertaining to a checking account maintained by the White Christian Protective and Legal Defense Fund, Inc., Elmore D. Greaves, secretary-treasurer, Post Office Box 426, Jackson, Mississippi. It shows the account was opened with a deposit January 18, 1965, in the amount of \$5. The signature card signed 1/18/1965 reflects Harvey H. Heredeen, secretary-treasurer; Elmore D. Greaves, chairman.

I hand you this and ask you if the signature "Harvey H. Heredeen" is your signature?

Mr. HEREDEEN. Sir, I respectfully decline to answer that question and invoke as a defense the privilege guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

(Documents marked "Harvey Heredeen Exhibit No. 2" appear on p. 2763.)

Mr. APPELL. Now, Mr. Heredeen, the committee's investigations established that solicitations of funds, documents which set forth the purpose of the White Christian Protective and Legal Defense Fund, statements which set forth the identity of the board of directors of the organization were mailed out to people throughout the State of Mississippi.

As secretary of the organization, as the bank records reflect, to—

HARVEY HEREDEN EXHIBIT No 2

WHITE CHRISTIAN PROTECTIVE and LEGAL DEFENSE FUND, INC.					National Wide	
FLORIAN D. GRANT - SECRET. - TREAS.					Organization or Address	
P. O. BOX 426 JACKSON, MISS. <i>H. H. Hereden - Jan 30</i>						
Date Opened	Initial Deposit	Dep. Balance	Cash Closed	C. & S.	Depos.	
<i>1/19/65</i>	<i>5.00</i>				Office	
					Safe Deposit Box	
					Stockholder	

CASE		INDICATING PARTICIPATION DATE, 1965	
TO JACKSON-HINDS BANK <i>99-536-5</i> Jackson, Mississippi			
You are authorized to recognize any of the signatures subscribed below in the payment of funds or the transaction of any business for this account. It is agreed that all transactions between you and the undersigned shall be governed by the contract printed on the reverse side of this card.			
<i>no signature required</i>		SIGNATURE A.B.A. Approved Contract	
AUTHORIZED SIGNATURE(S) OF		SIGNATURE	
<i>Harvey H. Hereden</i>		<i>SECRET. & TREAS.</i>	
<i>Florian D. Grant</i>		<i>CHAIRMAN</i>	
ADDRESS P. O. BOX 426			
CASH OPENED	INITIAL DEPOSIT	ACCOUNT OPENED BY	
<i>2/18/65</i>	<i>5.00</i>	<i>LDH</i>	

gether with being treasurer. where are the documents which your position as secretary required you to maintain?

Mr. HEREDEN. Sir, I do not have access, custody, or control over any additional records ordered by the subpoena issued to me.

Mr. APPELL. As secretary-treasurer of the White Christian Protective and Legal Defense Fund, did you engage in any correspondence in which you signed your name as the secretary-treasurer?

Mr. HEREDEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Can you advise the committee as to why copies of none of this correspondence are contained in these records?

Mr. HEREDEN. Sir, I respectfully decline to answer that question for the reasons previously stated.

Mr. APPELL. In addition to signing letters over your own name as secretary-treasurer, you sent out letters in which you signed the name of the chairman per your signature. Can you explain to the committee why copies of none of this correspondence are among the records submitted in response to the subpoena?

Mr. HEREDEN. I must respectfully decline to answer that question for reasons previously stated.

The CHAIRMAN. Well, let me ask you this question—it would be more responsive if you said you didn't keep copies—did you keep copies?
(Witness confers with counsel.)

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Heredeen, have you attended State executive meetings—cabinet meetings of the White Knights of the Ku Klux Klan. Mississippi?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you presently a member of the White Knights of the Ku Klux Klan in Mississippi?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. As secretary-treasurer, do you know it to be a fact that the White Christian Protective and Legal Defense Fund was created as an instrumentality of the White Knights of the Ku Klux Klan of Mississippi?

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege—

The CHAIRMAN. Let me ask a question on that. Sir, I want to make it plain that to me, anyway, as chairman of this committee and as a lawyer, I am not inquiring into the propriety of anyone raising funds for the defense of anyone, but we are interested in the activities of the Klan.

Now, my question is this: Was the White Christian Protective and Legal Defense Fund, Inc., a Klan activity?

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Was the organization formed as an inducement to nonmembers of the Klans to contribute, not knowing that it was a Klan activity?

Mr. HEREDEEN. Sir, for the reasons previously stated, I must respectfully decline to answer that question.

The CHAIRMAN. Was the White Christian Protective and Legal Defense Fund, Inc., in fact formed to give it respectability, so that people who were not members of the Klan would contribute to it in the belief that it was a white Christian protective association?

Mr. HEREDEEN. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't it a fact that much, if not most, of the funds collected was solicited from and received from people in the Jackson area—whatever area the fund operated in—who were not members of the Klan?

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't it a fact that this was one more cover or front organization behind which the Klan organization was hiding?

Mr. HEREDEEN. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, I would like the record to reflect at this

point, even though we will need some time to make an examination of all of these checks, that one of the checks supplied by Mr. Heredeen in response to the subpoena is against the account of the White Christian Protective and Legal Defense Fund and is payable to Thomas E. Gunter, the preceding witness, in the amount of \$178.65, cosigned by Elmore D. Greaves as chairman and H. H. Heredeen as secretary-treasurer.

(Document marked "Harvey Heredeen Exhibit No. 3" follows:)

HARVEY HEREDEEN EXHIBIT NO. 3

JACKSON-HINDS BANK

JACKSON, MISS. February 3, 1965 10

PAY TO THE ORDER OF Thomas E. Gunter \$ 178.65

ONE HUNDRED AND SEVENTY EIGHT AND 65/100 DOLLARS

White Christian Protective and Legal Defense Fund

Chairman Elmore D. Greaves

Sec. Treas. H. H. Heredeen

9929365

99000047065

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his consistent refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Heredeen and the White Christian Protective and Legal Defense Fund.

In January 1965, the White Christian Protective and Legal Defense Fund was organized for the purpose of raising funds for those arrested in Philadelphia, Mississippi, for involvement in the murder of the three civil rights workers and unidentified persons arrested in Meridian, Mississippi.

Present at meetings held during the period for the purpose of creating the fund were: Sam Bowers, Imperial Wizard, White Knights of the Ku Klux Klan; Elmore D. Greaves, the chairman of the fund; Julius Harper, the Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi; Gordon Lackey, a province official; J. K. Greer, a Klan official; I. H. "Pete" Shumaker; John Bostick; and E. L. "Tiny" Lewis.

On January 31, 1965, a meeting of the Klan cabinet was held in Jackson, Mississippi. Present at this meeting were Pete Shumaker, the Reverend Delmar Dennis, and Harvey H. Heredeen, all formal members of the White Christian Protective and Legal Defense Fund. Imperial Wizard Bowers stated at this meeting that the main purpose of the meeting was for raising funds for the defense of the 18 defendants who had been arrested for their participation in the murder of Schwerner, Goodman, and Chaney. Bernard L. Akin, one of the 18, was present at this meeting.

Bowers stated that the White Christian Protective and Legal Defense Fund had been formed by the White Knights and was the principal fundraising organization created and organized by the White Knights.

He further stated that only active members of the White Knights would be allowed to serve on the board of directors of the fund.

Plans already adopted for solicitation by mail and through placing of sealed jars in restaurants, filling stations, and other places of public accommodation were announced.

In February, Secretary-treasurer Heredeem reported that State Chairman Greaves had met with the representative of the Neshoba County Defense Fund. At this meeting it was agreed that the White Christian Protective and Legal Defense Fund would not solicit in Neshoba County, nor would the funds merge.

In March 1965, Imperial Wizard Bowers reported at a State cabinet meeting that the White Christian Protective and Legal Defense Fund would be a permanent organization not only to raise funds for the Philadelphia defendants, but also for the defense of any Klansman accused of committing racial violence.

Bowers reported that the Jackson-Hines Bank, which had not given its authority to mailing out its drafts, had disassociated itself in every way from this fund. Thereafter, funds should be mailed to the fund in care of its post office box.

Also in March 1965, the White Christian Protective and Legal Defense Fund held a meeting at Brookhaven, Mississippi. Heredeem and Greaves were given the right to provide funds for any white Christian who may be indicted or forced to stand trial because of a civil rights act, without prior approval of the board.

At a meeting of the White Knights in August 1965, held near Florence, Mississippi, at which H. H. Heredeem was present, Grand Dragon of the White Knights Billy Buckles requested that \$500 be sent to Greenwood, Mississippi, for the three arrested for arson.

This information, Mr. Chairman, indicates that Mr. Heredeem possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Heredeem, you have heard the sworn statement of the committee's investigator. You now have an opportunity to reply to any portion of that statement, confirm or deny the accuracy of the information, or explain any part of it. In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I say to you, therefore, sir, that absent your rebuttal of the facts that have come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Bearing this in mind, do you have anything to say?

Mr. HEREDEEN. Sir, for reasons previously stated by me, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Heredeem, I asked questions a while ago that Mr. Appell's sworn statement brought back to my memory, questions about certain facts of which I am aware. We have received evidence to the effect that this defense fund indeed was a coverup Klan organization or activity; that what was described as jugs were deposited in many, many, many places of business in Mississippi—restaurants, hotels, motels, stores, and what not; and that people were made to

believe that this was not a Klan activity: that contributions were made on that belief. And I recall, even, that it was stated under oath that one fruitful source of collections was in cafes and saloons where, after people had many drinks, they wanted to respond and did respond pretty heavily to the fund—people who had no knowledge that this was a Klan activity and that jugs or buckets were in fact controlled, placed, and the funds collected, by members of the Klan. Is that correct?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Heredeen, do you know the Grand Dragon of the White Knights of the Ku Klux Klan, Julius Harper?

Mr. HEREDEEN. Sir, for the reasons previously stated by me, I respectfully decline to answer that question.

Mr. APPELL. Mr. Heredeen, on February 20, 1965, at approximately 6 p.m., did you meet up with Julius Harper, him driving a white 1964 Chevrolet and you driving a 1964 Oldsmobile, and thereafter go off to a secret meeting of the Klan?

Mr. HEREDEEN. Mr. Appell, for the reasons previously stated, I must respectfully decline to answer that question.

Mr. APPELL. I have no further questions, Mr. Chairman.

Mr. SENNER. Mr. Heredeen, you said you had some income tax forms. Before you deliver them to the committee, I would like to ask this question: Are they the income tax for the White Christian Protection and Legal Defense Fund, Inc., or are they your own?

Mr. HEREDEEN. Mr. Senner, these are my personal income tax records as the subpoena calls for.

The CHAIRMAN. He didn't ask you to produce them, in fact, and if he had, I would not have ordered you to produce them.

Let me ask you this: Did you ever receive any income coming from Klan activities?

Mr. HEREDEEN. Would you repeat the question, please?

The CHAIRMAN. Let me get right to the point. I have in my hand an envelope containing five checks issued by the White Christian Protective and Legal Defense Fund, payable to H. H. Heredeen or cash. Now, I say to you, of course, those checks were issued but, to be fair, did you use the moneys represented by those checks for your own use, or did you pass the funds over to anybody else?

Mr. HEREDEEN. Sir, for reasons previously stated, I respectfully decline to answer that question.

(Documents marked "Harvey Heredeem Exhibit No. 4" and retained in committee files.)

The CHAIRMAN. I said a moment ago I would not have directed the production of your personal income tax. I meant to add "if you had invoked the fifth amendment."

The subpoena called on you to produce copies of the income tax return of the White Christian Protective and Legal Defense Fund, that is, called upon to produce them in your capacity as secretary-treasurer. Did you bring them with you? If you filed it; if one was filed.

Mr. HEREDEEN. Sir, all of the records ordered by the subpoena issued to me that I have access, custody, or control of have already been introduced into evidence.

The CHAIRMAN. I say to you it is our information that this outfit did not file any income tax return. The Internal Revenue people so informed us.

Mr. APPELL. Mr. Chairman. I have no further questions.

Mr. SENNER. I think you covered it very well. Mr. Chairman.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Mr. Elmore D. Greaves.

The CHAIRMAN. Raise your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GREAVES. I do.

TESTIMONY OF ELMORE DOUGLAS GREAVES, ACCOMPANIED BY COUNSEL, JIM PHYFER

Mr. APPELL. Would you state your full name for the record?

Mr. GREAVES. Elmore Douglas Greaves.

Mr. APPELL. Are you appearing before the committee in accordance with the subpoena served upon you by Investigator Sullivan of this committee on November 6, 1965, at Route 1, Box 140, Madison, Mississippi?

Mr. GREAVES. I am, sir.

Mr. APPELL. Are you represented by counsel?

Mr. GREAVES. I am, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. PHYFER. Jim Phyfer, 518 East Pascagoula Street, Jackson, Mississippi.

Mr. APPELL. Mr. Greaves, after receipt of the subpoena served upon you, did you dispatch a Western Union telegram to the chairman of this committee with reference to the service of that subpoena?

Mr. GREAVES. Yes, I did.

Mr. APPELL. I would like to read this into the record and ask if this is the telegram you sent to the chairman:

Be advised we hereby petition the House Committee on Un-American Activities to proceed in executive sessions for the following reasons:

1. Washington, D.C. is notoriously one of the most crime ridden cities in the United States and it is placing ourselves in great personal danger to arrive in or travel about that District in our automobiles bearing Mississippi State license plates. No precautions have been made by your committee to safeguard our lives or persons or property while there.

2. Our sons and brothers now face Communist elements in Vietnam in a deadly war. These same Communist elements fill the first several rows of your committee hearings, operating tape recorders and cameras. These Communists attending these hearings include representatives of *The Worker*, Communist newspaper, and the *National Guardian*, cited by your committee, House Report Number 3123, September 21, 1950, as "a virtual official propaganda arm of Soviet Russia", as well as other un-American elements who daily pack these hearings.

3. Southern citizens who have recently appeared before your committee in Washington have revealed that these Communists in attendance have boasted to them that they "were there to identify our people so that further action could be taken against us."

4. We strongly protest the unfair and unreasonable manner of handling these subpoenas. They were issued by your committee on October 6, 1965, but were not served until November 6, 1965; late Saturday afternoon. This manner of handling is in violation of your committee's own rules of procedure, which states:

III. Subpoenaing of witnesses:

"B. Witnesses shall be subpoenaed at a reasonably sufficient time in advance of any hearing, said time to be determined by the committee or subcommittee, in order to give the witness an opportunity to prepare for the hearing and to employ counsel, should he so desire."

Your subpoena leaves only five working days of preparation and travel time from the State of Mississippi to Washington, D.C.

5. We feel that the further holding of these hearings under present conditions and in the present location is to subject the witness, his attorney and members of his family to greater danger than we would face as soldiers in Vietnam. The committee is urged to select a site and under conditions less hostile and less fraught [sic] with real and actual danger.

The congressional Committee on Un-American Activities has had a long and creditable record for its efforts in behalf of the United States and its patriots and in investigating the internal threats to our national security from Congressman Martin Dies to Congressman Francis E. Walter. We would have deemed it a privilege to have appeared before this committee in such investigations. During the past several years, however, investigations by your committee have obviously been un-American. The current hearings appear to be purely political in their purposes and carried on as a basis for un-American propaganda.

Communist demonstrators ran the committee under the bed in the San Francisco hearings and now it emerges with its front rows filled with Communists.

For these reasons patriots are uncertain of the motives behind subpoenas lately issued and so are ill-prepared to appear before this committee.

Elmore D. Greaves, Editor-Publisher The Southern Review.

Mr. Greaves, did you dispatch this telegram?

Mr. GREAVES. Yes, I sent that.

(Document marked "Elmore Greaves Exhibit No. 1" and retained in committee files.)

Mr. APPELL. Did you believe all of the contents in it to be based upon information which you had received as I set forth to the committee about the attendance of the people at the hearings and the people here with quotes and other things as you set forth in this telegram?

Mr. GREAVES. I believed this from the information I had.

Mr. APPELL. Would you advise the committee the source of your information?

Mr. GREAVES. The question you asked me is who the source of this information is?

Mr. APPELL. Yes, sir.

Mr. GREAVES. The source was given to me as a newspaper editor.

The CHAIRMAN. And?

Mr. SENNER. And you claim privilege?

Mr. GREAVES. Yes, I do.

The CHAIRMAN. You mean, you invoke the privilege of a newspaperman not to disclose your source of information?

Mr. GREAVES. Yes, I do, sir; and of the fifth amendment.

The CHAIRMAN. Of what?

Mr. GREAVES. Also of the fifth amendment.

The CHAIRMAN. This committee is not in the business of prying into legitimate operations of the press, I assure you. I am not going to order and direct you to answer the question that you reveal your sources. But when did you arrive in Washington?

Mr. GREAVES. I believe, sir, on Tuesday.

The CHAIRMAN. Did you personally experience the things which you said in that telegram your sources said they had experienced?

Mr. GREAVES. I did not.

The CHAIRMAN. Did you see in and around the hearing room, the Capitol, anywhere else, the presence of Communists influencing the committee or doing the things that you said your source told you were going on?

Mr. GREAVES. I did not see that, sir.

The CHAIRMAN. Do you have reason to believe that those things are going on?

Mr. GREAVES. From what I have seen, sir, since my presence here I have no reason to believe that is occurring at this time.

The CHAIRMAN. And you make the reservation of "at this time." So that whatever was related to you in the past would be from the sources that you cannot reveal. Is that correct?

Mr. GREAVES. That is correct.

The CHAIRMAN. You applaud in your telegram the creditable record of this committee under the regime and leadership, chairmanship, of the Honorable, my good friend, Martin Dies, and my late, lamented friend Francis Walter of Pennsylvania, and you stop there. Since your appearance in Washington and your attendance at these hearings, do you have any reason to believe that the functions of my chairmanship and the membership of the gentlemen whom you have seen are any less creditable?

Mr. GREAVES. From what I have seen, sir, I would say that they are not less so.

Mr. APPELL. Mr. Greaves, the subpoena served upon you did not in any manner or form mention the *Southern Review*: did it, sir?

Mr. GREAVES. It did not, sir.

Mr. APPELL. So that the subpoena was not served upon you as a newspaperman, nor did it call for your appearance as a newspaperman.

Mr. GREAVES. It was not served upon me in that capacity; no, sir.

Mr. APPELL. Mr. Greaves, when and where were you born?

Mr. GREAVES. Hinds County, Jackson, Mississippi, 1926.

Mr. APPELL. Month and day?

Mr. GREAVES. March 15, 1926.

Mr. APPELL. Do you presently reside at Route 1, Box 140, Madison, Mississippi?

Mr. GREAVES. That is correct.

Mr. APPELL. Are you represented by counsel?

Mr. GREAVES. I am, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. PHYFER. Jim Phyfer, 518 East Pascagoula Street, Jackson, Mississippi.

Mr. APPELL. Would you give the committee a résumé of your educational background, Mr. Greaves?

Mr. GREAVES. I had 4 years in college.

Mr. APPELL. Graduating from where, and when?

Mr. GREAVES. I did not graduate. I withdrew from law school upon the death of my father in 1951.

Mr. APPELL. 1951?

Mr. GREAVES. Yes.

Mr. APPELL. Have you had military service, sir.

Mr. GREAVES. Two years in the Navy during the Second World War.

Mr. APPELL. During what years?

Mr. GREAVES. From 1944 to 1946.

Mr. APPELL. Give the committee a brief résumé of your employment background.

Mr. GREAVES. I have been self-employed since 1951 as an independent cotton farmer.

The CHAIRMAN. Cotton farmer?

Mr. GREAVES. Cotton farmer; yes, sir.

The CHAIRMAN. A noble occupation. I am a cotton farmer myself.

Mr. APPELL. Mr. Greaves, the subpoena served upon you contained an attachment, which was made part of the subpoena, and under the conditions of the subpoena ordered you to bring with you and to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi, and affiliated organizations, namely, White Christian Protective and Legal Defense Fund and the Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as present or past member or an associate of the White Knights of the Ku Klux Klan of Mississippi.

Mr. GREAVES. All of the records ordered by the subpoena to me that I have access, custody, or control of have already been introduced into evidence.

The CHAIRMAN. Mr. Senner.

Mr. SENNER. What was the answer?

Mr. APPELL. That the documents the subpoena called upon him to produce have already been produced and are in the record, the documents available to him or in his custody or in his control.

Mr. SENNER. Mr. Greaves, who introduced those documents? Could you name those individuals?

Mr. GREAVES. That is already in the record.

Mr. SENNER. Who introduced them into the record? That was my question.

The CHAIRMAN. Let me ask you this question. Do you mean they were produced through the witness Mr. Heredeen?

Mr. GREAVES. Yes, sir.

The CHAIRMAN. Do you have any other documents in your possession not produced by Mr. Heredeen? I mean documents relating to Klan activities.

Mr. GREAVES. Sir, I have no other records in my possession called for by the subpoena.

The CHAIRMAN. Did you ever have any?

Mr. GREAVES. I never did have any.

The CHAIRMAN. Do you know of any documents called for by the subpoena that were destroyed?

Mr. GREAVES. No, sir, I do not.

The CHAIRMAN. I already indicated the documents produced by Mr. Heredeen would, of course, be examined and perused carefully and studied and will be returned after they have served their purpose.

Mr. APPELL. Mr. Greaves, in response to a question as to whether or not you ever had the documents or they were destroyed, you said, believe, not to your knowledge. Now, this is a defense fund to which people contributed money. Some money was received in the form of

documents through the mail accompanied by letters. Where are the records which reflect such communications to the funds?

Mr. GRAYSON. Mr. Appel, all the records issued by the subpoena issued to me that I have access to, custody or control of, all of them have already been introduced into evidence.

Mr. APPEL. Mr. Grayson, we have been refused by the Internal Revenue Service that no tax return has been filed by the fund, and there is nothing in the report submitted to us about income. There are fears of disclosure. Are you testifying you have no records, custody and so forth of the income which this fund has received?

Mr. GRAYSON. Sir, with all the records, I repeat the previous statement that all of the records that is all of them, covered by the subpoena issued to me that I have access to, custody or control of, all have already been introduced into evidence.

The CHAIRMAN. The two members of that entity called the White Christian Front and Legal Defense Fund were you not?

Mr. GRAYSON. Mr. Wells, I respectfully decline to answer that question and instead as defense the privileges guaranteed to me in the 1st, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 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Mr. SENNER. And you looked at those records?

Mr. GREAVES. Yes.

The CHAIRMAN. The subpoena served upon you called for, among other things, correspondence relating to the organization of and conduct of business affairs of the White Knights of the Ku Klux Klan of Mississippi and its affiliated organization, the White Christian Protective and Legal Defense Fund. As chairman of this entity did you have correspondence, engage in correspondence?

Mr. GREAVES. Mr. Willis, for the previous reasons stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you maintain files of that fund containing letters received and copies of letters sent?

Mr. GREAVES. Mr. Willis, in answer to that question let me reiterate that all of the records ordered by the subpoena issued to me that I have had access to, custody, or control have already been introduced into evidence.

The CHAIRMAN. I won't accept that because it is not responsive. What I asked you is: Did you, as chairman, keep files and do you now have in your possession files containing original letters received by you as chairman and containing copies of letters you sent out?

(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, I kept no further files.

The CHAIRMAN. That is still not responsive. I am going to hang on until you answer. Did you maintain files, did you keep files as chairman, containing letters received from anyone and copies of letters sent out by you and signed by you?

(Witness confers with counsel.)

The CHAIRMAN. In your representative capacity.

Mr. PHYFER. May we have the question reread, please, sir?

The CHAIRMAN. Read the question.

(The question was read by the reporter.)

Mr. GREAVES. Mr. Willis, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you keep in your files a copy of the telegram you sent to me?

Mr. GREAVES. Sir, for the reason previously stated, I respectfully decline to answer that question.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Graves, shortly after the fund was formed, did you send a letter to each subscriber of the newspaper, the *Southern Review*, in which the letter set forth that Elmore D. Greaves was the state chairman of the White Christian Protective and Legal Defense Fund? Did this letter also set forth the post office box as being Box 26, Jackson, Mississippi, and did it also identify as the directors

r. Glen Swettman, Biloxi, Mississippi; Mr. I. H. "Pete" Shumaker, Kosciusko, Mississippi; the Reverend Delmar Dennis, Meridian, Mississippi; and James M. Hooper of Sidon, Mississippi?

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I respectfully decline to answer that.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the letter to which I am referring requested the receiver contribute money to the defense of "any White Christian patriot,"

who has or may be indicted and forced to stand trial for some real imagined infraction of the Communist-inspired Civil Rights Act. Some of these letters were accompanied by a sheet containing articles of formation of the organization and rules and procedure for placing and collecting of jars to be used in the collection of money for the organization.

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I decline to answer that question.

Mr. APPELL. At any time did you advise anyone that the White Christian Protective and Legal Defense Fund was a project of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GREAVES. Sir, I respectfully decline to answer that question on the previous grounds.

The CHAIRMAN. You were in the hearing room, were you not? I explained to the previous witness that as chairman of this committee and as a Member of Congress, as a lawyer, I have no objection. I certainly can have none, to funds being raised for the defense of anyone. But the pertinency of these questions relates to the Klan activities. Just as a fact, you were in the hearing room when I asked that statement; were you not?

Mr. GREAVES. Yes, sir.

The CHAIRMAN. Do you have any comments to make upon what I just stated?

(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, I have no comments to make, sir.

The CHAIRMAN. You were in the hearing room when, along the same line, I pointed out that we were interested in and it was pertinent to this inquiry the fact, if it was a fact—and I related certain things about it to my personal knowledge—as to whether or not this was the White Christian Protective and Legal Defense Fund. In fact, it being used as a facade of respectability in order to hide the fact, I may as well be frank—that it was really a Klan activity. You were in the room when I made those statements and that I had personal knowledge of the activity of the fund?

Mr. GREAVES. I was here, sir.

The CHAIRMAN. Do you have any comments to make?

Mr. GREAVES. No, sir; I have no comments.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Greaves, were you also here when I read to you Heredeen the committee's investigative result as to the organization of the White Christian Protective and Legal Defense Fund? Were you present?

Mr. GREAVES. Yes, I was present.

Mr. APPELL. Do you have any comment to make upon the investigative result as set forth to Mr. Heredeen?

Mr. GREAVES. I have no comment at all, sir.

Mr. APPELL. Mr. Greaves, are you a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. On January 31, 1965, did you attend a meeting of the sort held at an abandoned farm house near a lake off Raymond outside of Jackson, Mississippi?

Mr. GREAVES. Sir, for the reasons already mentioned, I respectfully decline to answer that.

Mr. APPELL. Mr. Greaves, according to the committee's investigation, there was a meeting held there on January 31 and it was a State Klan cabinet meeting of the White Knights of the Ku Klux Klan of Mississippi. The main purpose for the assembling of Klansmen there was an activity—other meetings in January were called—was for the purpose of discussing and talking up the White Christian Protective and Legal Defense Fund. During the course of this meeting, Imperial Wizard Bowers made a speech with respect to the danger the South was in from infiltration. Were you present when he made that speech, sir?

(Witness confers with counsel).

Mr. GREAVES. Mr. Appell, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. According to the committee's investigation, Mr. Bowers stated that he had confidential information from high influential sources that African troops were being landed in Cuba for extensive military training. This is why he and the White Knights of the Ku Klux Klan had long-range plans for a buildup of arms and a burial of such arms. He elaborated that after these troops are landed they will lead an invasion of the United States at Biloxi and Gulfport, Mississippi. When the invasion commences, Defense Secretary McNamara will nationalize the State Guard and turn the Southern States over to the Negro. Whites will be relocated and moved to the North. The Klan will be the only element to fight the invasion. Bowers concluded his remarks by stating that the choice that is available is "to be smart and move or be right and fight."

Were you present and heard that speech?

Mr. GREAVES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Greaves, I have great hesitancy to ask you because you publish a newspaper, but I have before me an article that appeared in the *Meridian*, Mississippi, *Star*, November 8, 1964. According to the article as it appeared in the *Meridian Star*, and it was a paid advertisement, there is reproduced what the paid advertisement claimed to have appeared in the October 1, 1964, issue of the *Southern Review*. It is:

On Being Investigated By The F.B.I.

"Our Washington correspondent writes the following report. In view of the fact that an increasing number of white people are being questioned in Mississippi by F.B.I. Agents, as an outgrowth of the Mississippi Summer Project, and are being harassed to an extent never before known, it is of special importance to give his conclusions:

a. When the FBI agent calls upon you, insist upon complete identification. They carry their credentials (plus a photograph), and you have a right to examine those credentials carefully and in detail. Copy down the name, address, and FBI number of the agent.

b. The FBI agent is supposed to tell you that you are not required to answer his questions. Some agents tell you that, but others do not. If the agent does not make that introductory statement, ask him if you are under a court order to provide information.

c. Say nothing to the FBI agent. When questioned, say "no comment."

d. The FBI agents are given special training in regard to the silent subject who refuses to answer questions. They will try to make you angry, in order that your

tongue may be loosened. They will play upon your sympathy. ("I don't like assignment, Mr. ----- I am a Southerner, too—but I have been ordered by Kennedy-appointed superior to question you."), and they will try flatter well. The best way to defeat such training is to apply the following three: (1) silence; (2) more silence; (3) still more silence.

e. Be careful of the FBI man who calls you down to his automobile and a conversation with you at that location. There will most certainly be a recorder in the car, and your conversation will find its ways to Washington air mail. * * *

This continues along this line Mr. Greaves. I ask you, do you have proof to substantiate that which was contained in this paid advertisement, which is a reproduction of an article according to the ad which appeared in the October 1, 1964, issue of the *Southern Review*?

Mr. GREAVES. Mr. Appell, may we see the ad?

Mr. APPELL. Yes, sir.

(Document handed to witness.)

Mr. GREAVES. Mr. Chairman, on the grounds of the first amendment I object to this question and say that it is an invasion of the right of free speech and of the press.

(Document marked "Elmore Greaves Exhibit No. 2" appears p. 2777.)

The CHAIRMAN. I assure you that there is no such intent in asking the question. We are developing activities, methods, and techniques of Klan organizations. I might tell you, Mr. Greaves, that in my opinion the greatest force of the Klan thus far has been its secrecy. If subjected to the light of day, it will fold up quickly. But I am not going to order you to answer that question. Perhaps, however, Mr. Appell might—

Mr. APPELL. I would like to now ask Mr. Greaves whether he is there as his independent position as a newspaperman or whether he is there because of his membership in the White Knights of the Ku Klux Klan.

(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, I object to that question again on the first amendment and I think that is a violation of the right of free speech and of the press.

Mr. SENNER. Mr. Chairman, I suppose in this instance you are stressing freedom of speech rather than of press because he distinguished clearly between Mr. Greaves the newspaperman and Mr. Greaves the Klansman.

(Witness confers with counsel.)

Mr. GREAVES. In objecting to this, I am relying on the first and second amendments. Will you uphold it?

The CHAIRMAN. I certainly will uphold it.

Mr. SENNER. Mr. Greaves, does the *Southern Review*—

The CHAIRMAN. That respects activities as a Klansman.

Mr. SENNER. Mr. Greaves, does the *Southern Review* have a Washington correspondent?

(Witness confers with counsel.)

Mr. GREAVES. Mr. Chairman, I object to that on the grounds previously stated.

The CHAIRMAN. And that includes what?

Mr. GREAVES. That includes the first amendment and the second amendment.

ELMORE GREAVES EXHIBIT NO. 2

[Meridian (Miss.) Star, Nov. 8, 1964, p. 13-A]

The following is being reproduced from the October 1, 1964, issue of The Southern Review, P.O. Box 426, Jackson, Mississippi, by the Lauderdale County Citizens' Council, Inc., as a public service, in order that citizens may know their rights. In so doing the Citizens' Council does not imply that information in any real criminal investigation should be withheld from investigating officers.

On Being Investigated By The F. B. I.

"Our Washington correspondent writes the following report. In view of the fact that an increasing number of white people are being questioned in Mississippi by F.B.I. Agents, as an outgrowth of the Mississippi Summer Project, and are being harassed to an extent never before known, it is of special importance to give his conclusions:

a. When the FBI agent calls upon you, insist upon complete identification. They carry their credentials ('plus a photograph'), and you have a right to examine those credentials carefully and in detail. Copy down the name, address, and FBI number of the agent.

b. The FBI agent is supposed to tell you that you are not required to answer his questions. Some agents tell you that, but others do not. If the agent does not make that introductory statement, ask him if you are under a court order to provide information.

c. Say nothing to the FBI agent. When questioned, say "no comment."

d. The FBI agents are given special training in regard to the silent subject who refuses to answer questions. They will try to make you angry, in order that your tongue may be loosened. They will play upon your sympathy ("I don't like this assignment, Mr. . . . I'm a Southerner, too—but I have been ordered by my Kennedy-appointed superior to question you"), and they will try flattery as well. The best way to defeat such training is to apply the following three rules: (1) silence; (2) more silence; (3) still more silence.

e. Be careful of the FBI man who calls you down to his automobile and opens a conversation with you at that location. There will most certainly be a tape recorder in the car, and your conversation will find its way to Washington via air mail.

f. If meetings are held at your home, someone will check the numbers on the license plates in order to trace the name and address of the individual owner.

g. Your telephone could be tapped, and your house could be "bugged." You can throw a legal monkey wrench into those practices by saying, at a meeting or over the telephone, "If my conversation is being recorded, it is being done so without my permission." By recording that statement, the FBI "will be destroying the court value of the bug." As you know, a "bug" is a small microphone.

h. If you are under a court order to provide information to the FBI, you do not have to say anything without first consulting your attorney. In other words, you are entitled to the presence of your attorney before you make a statement.

i. FBI agents are graduates of law schools, i.e., they are lawyers. One of the weak points about the FBI is that its agents can frequently be spotted: A lawyer looks like a lawyer. The FBI uses persons other than lawyers, of course, and those persons frequently infiltrate organizations in order to engage in spy work."

The CHAIRMAN. The document attributed to you, the ad attributed to you states, "Our Washington correspondent writes the following report." Do you have a Washington correspondent?

(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, I object again on the basis of the fifth amendment and the first amendment.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Greaves, the issue of November 15, 1964, contains an article captioned "A Police State Exists In South Mississippi" and quotes a resolution adopted by an organization identified in the issue as the Adams County Civic and "Bettermen" Association. I put it to you as a fact that the Adams County Civic and Betterment Association is a cover name for a Klavern of the Klan and I ask you whether you possessed the same knowledge.

Mr. GREAVES. Mr. Appell, for the reasons previously stated I respectfully decline to answer that question.

(Document marked "Elmore Greaves Exhibit No. 3" follows.)

ELMORE GREAVES EXHIBIT NO. 3

(*The Saturday Evening*, JACKSON, MISS., Nov. 15, 1964.)

A Police State Exists In South Mississippi

When the Adams County Civic and Bettermen Association passes resolutions deploring the "unlawful arrests and search by members of the Mississippi Highway Patrol", then this is a serious matter indeed; and a matter about which every patriotic citizen should concern himself; and to protest to the constituted authorities. The citizens of Adams County further charged in the resolution that "a police state now exists in the section of the State of Mississippi in direct violation of our fundamental Constitutional rights." This condition was created by the activities of the Communist directed NAACP, CORE, SNCC, COFO and the National Council of Churches—that great "Christian" body. It is a strange thing that no members of these revolutionary groups have been restrained by court orders, or, as far as can be ascertained, arrested or held for any length of time. However, there have been several instances of arrests of revolutionists and their immediate release. But there have been many instances of arrest, detention, search without warrants, harassment, and abuse of white citizens of these communities. The incident of the so-called bomb cases is the most glaring of these violations; and the one that shows most clearly the arrogant, and tyrannical nature of the State government and the bidding of the Lyndon Johnson apparatus.

Mr. APPELL. Mr. Greaves, are you presently a member of the White Knights of the Ku Klux Klan?

Mr. GREAVES. Mr. Appell, for the reasons previously stated I respectfully decline to answer that question.

Mr. APPELL. Mr. Greaves, the Laurel, Mississippi, *Call-Leader* issue of January 11, 1966—

The CHAIRMAN. That is Tuesday of this week.

Mr. APPELL. Yes, sir—contained a story from Jackson, Mississippi, AP byline:

A white supremacist editor today accused Senator James Eastland, Dem., Miss. and Governor Paul Johnson of plotting his subpoena to the Congressional Ku Klux Klan hearings to silence his newspaper.

Mr. Greaves, do you have any proof of that statement?
(Witness confers with counsel.)

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. That appeared in another paper and the source is yourself. Let us get that straight now. We are not stepping on your toes as a newspaperman. You are your own source here.

Mr. APPELL. Mr. Greaves, the story contained this quote:

"Although I am not a member of the Ku Klux Klan," Greaves said, "I am in sympathy with its philosophy as I understand it. That is, I believe in the Constitution, the Bill of Rights, and the principle of white supremacy. * * *"

Mr. Greaves, are you accurately quoted?

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I have no doubt that you have expressed yourself in similar fashion, that is, you believe in what—

Mr. APPELL. "The Constitution, the Bill of Rights, and the principle of white supremacy."

The CHAIRMAN. No, believe in the principles of the Ku Klux Klan.

Mr. APPELL. No, sir. "Although I am not a member of the Ku Klux Klan," Greaves said, "I am in sympathy with its philosophy as I understand it. * * *"

The CHAIRMAN. I will give you an opportunity in your own way, applaud it to the sky, if you want to, to tell us about the objectives, purposes, and programs of the Ku Klux Klan as you understand them.
(Witness confers with counsel.)

Mr. GREAVES. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Greaves, the constitution of the White Knights of the Ku Klux Klan supports only the Constitution of the United States as originally written. Is this the Constitution that you agree with and that you support according to the quote that appeared in the paper?

Mr. GREAVES. Mr. Appell, for the reasons previously stated, I respectfully decline to answer that.

The CHAIRMAN. Mr. Greaves, as chairman of the fund that we talked about, did you received any compensation?

Mr. GREAVES. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you receive any funds from the fund that you reported on your individual income tax return?

Mr. GREAVES. Mr. Willis, for the reasons previously stated, I respectfully decline to answer that.

Mr. SENNER. Mr. Greaves, why is it on this fund when you used the letters and circulars, and so forth, you did not put incorporated? Is there any reason?

Mr. GREAVES. For reasons previously stated, I respectfully decline to answer that.

Mr. SENNER. In the State of Mississippi, when do you have a corporation? Do you need three incorporators, or do you know?

Mr. GREAVES. Sir, I do not know.

Mr. SENNER. The head of the corporation would be the president: would he not?

(Witness confers with counsel.)

Mr. GREAVES. Sir, which corporation were you speaking of?

Mr. SENNER. I am talking about the White Christian Protective and Legal Defense Fund, Inc.

(Witness confers with counsel.)

Mr. GREAVES. Sir, for the reasons previously stated, I respectfully decline to answer that.

Mr. SENNER. Isn't it a fact that you are president of that corporation?

Mr. GREAVES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Is it true that the fund was truly set up for the purpose of raising money for Klansmen who were arrested in the acts of violence?

Mr. GREAVES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused and the committee will stand in recess until 10:30 tomorrow morning.

(Subcommittee members present: Representatives Willis, Senner, and Clawson.)

(Whereupon, at 6:15 p.m., Thursday, January 13, 1966, the committee recessed to reconvene at 10:30 a.m., Friday, January 14, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

FRIDAY, JANUARY 14, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 11:35 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Buchanan.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will come to order.

Mr. Appell, call your first witness.

Mr. APPELL. Mr. J. N. Fortenberry.

The CHAIRMAN. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FORTENBERRY. I do.

TESTIMONY OF JAMES NOLAN FORTENBERRY, ACCOMPANIED BY COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY

Mr. APPELL. Mr. Fortenberry, will you state your full name for the record?

Mr. FORTENBERRY. James Nolan Fortenberry.

Mr. APPELL. Your middle name is Nolan, N-o-l-a-n?

Mr. FORTENBERRY. Yes.

Mr. APPELL. And your last name is Fortenberry?

Mr. FORTENBERRY. Yes.

Mr. APPELL. Mr. Fortenberry, are you appearing here in accordance with a subpoena served upon you November 6, 1965, at 281 Mikell, Jackson, Mississippi?

Mr. FORTENBERRY. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. FORTENBERRY. Yes, sir, I am.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Fortenberry when and where were you born?

Mr. FORTENBERRY. Jefferson Davis County, November 29, 1932.

Mr. APPELL. Would you give the committee a brief résumé of your educational background?

Mr. FORTENBERRY. Yes, sir. I finished high school at Prentiss Consolidated School, 2 years at Mississippi College before I enlisted in the Army.

Mr. APPELL. What was your Army service?

Mr. FORTENBERRY. I was 3 years in the regular Army, was overseas for a year and half with NATO.

Mr. APPELL. And what period of time did your military service cover?

Mr. FORTENBERRY. From February 18, 1953, until February 10, 1956.

Mr. APPELL. Mr. Fortenberry, under the terms of the subpoena served upon you, in an attachment thereto made a part of the subpoena you were ordered to bring with you and produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely The Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as present or past member or Klan Bureau Investigator, White Knights of the Ku Klux Klan of Mississippi, also known as the United Klans of America, Inc., Knights of the Ku Klux Klan.

Mr. Fortenberry, will you produce the documents called for in the representative capacity set forth in paragraph 1 of the subpoena?

Mr. FORTENBERRY. I cannot produce such records due to the fact that such records are not in my possession, custody, and control and I did not and do not have access to such records.

Mr. APPELL. Mr. Fortenberry, you hold the position of an organizer or the klegale of the White Knights of the Ku Klux Klan of Mississippi?

Mr. FORTENBERRY. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed me by the 4th, 1st, 5th, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Mr. Fortenberry, under the constitution and laws of the White Knights of the Ku Klux Klan, an organizer in initiating men into the White Knights of the Ku Klux Klan is supposed to prepare documents with four copies and make distribution of those documents as set forth in the constitution and laws.

Did you make such distribution of those documents?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. After distribution, one copy of the document came back to the kleagle, or organizer. What happened to the copy that came back to you?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. To your knowledge, were any documents called for in part 1 of the subpoena destroyed by fire?

(Witness confers with counsel.)

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Fortenberry, on October 20, 1964, did you attend a province meeting of the White Knights of the Ku Klux Klan at Laurel, Mississippi?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you did attend that meeting and at that meeting you were elected to the position of a province investigator for Province No. 1. I put it to you as a fact, and ask you to affirm it or deny it.

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer.

Mr. APPELL. Other province investigators at the same time were Jack Williams of Pelahatchie, Mississippi; H. L. Holmes of Jackson, Mississippi; Woody Mathews of Utica, Mississippi; and Gordon Lackey of Greenwood, Mississippi.

Did you know those gentlemen to hold positions similar to your own?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I forgot to ask you, Mr. Fortenberry, would you give the committee a brief résumé of your employment background?

Mr. FORTENBERRY. Yes, sir. Since finishing—from what time, sir?

Mr. APPELL. From 1960 to date.

Mr. FORTENBERRY. I was employed by the city of Jackson as a construction inspector until February of 1965, when I went into construction.

Mr. APPELL. And who are you employed by at present?

Mr. FORTENBERRY. Enthalpy, Inc., out of Jackson, Mississippi.

Mr. APPELL. Mr. Fortenberry, as a member of the Klan and as an official, were you assigned to a Klavern of the Klan in Hinds County, Mississippi?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Fortenberry, as an official of the province, are you familiar with any acts of violence carried out by members of the Klan in your province?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer.

Mr. APPELL. Mr. Fortenberry, a stick of dynamite was thrown into the building or offices of Hazel Brannan Smith who publishes the

Northside Reporter. Do you possess any knowledge of this activity?
(Witness confers with counsel.)

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Fortenberry, was Julius Harper the Grand Dragon of the White Knights of the Ku Klux Klan to your knowledge?

Mr. FORTENBERRY. Sir, for the reasons previously stated, I respectfully decline to answer.

Mr. WELTNER. What is that name again?

Mr. APPELL. Julius Harper.

Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. The witness is excused. Call the next witness.

Mr. APPELL. Mr. Harold Lloyd Delk.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DELK. Yes, sir.

**TESTIMONY OF HAROLD LLOYD DELK, ACCOMPANIED BY COUNSEL.
CHARLES G. BLACKWELL AND TRAVIS BUCKLEY**

Mr. APPELL. State your full name for the record, Mr. Delk.

Mr. DELK. Harold Lloyd Delk.

Mr. APPELL. That is D-e-l-k?

Mr. DELK. D-e-l-k.

Mr. APPELL. You are appearing here today in accordance with a subpoena served upon you on December 4, 1965, by Mr. John D. Sullivan, an investigator for this committee, at 219 Dixie Avenue, Hattiesburg, Mississippi?

Mr. DELK. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. DELK. Yes, sir.

Mr. APPELL. Will the counsel identify themselves for the record?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Delk, when and where were you born?

Mr. DELK. I was born in Laurel, Mississippi, on December 5, 1926.

Mr. APPELL. What is your educational background?

Mr. DELK. I graduated from the 10th grade at the Hattiesburg High School. Of course, there is some misunderstanding about that thing. We have been fighting over it for 20 years. They say the eighth. I believe.

Then I have a certificate from the University of Mississippi in public relations and also numerous FBI school items such as fingerprinting, collection and preservation of evidence, firearms handling.

Mr. APPELL. Under what circumstances and conditions did you receive this FBI training?

Mr. DELK. As a policeman.

Mr. APPELL. Were you a student of the police academy conducted by the—

Mr. DELK. No, sir, it was local. Our local FBI agent from Jackson—New Orleans, conducted a school in Hattiesburg.

Mr. APPELL. When did you take this series of instruction?

Mr. DELK. It was over a period from 1953 through 1958, I guess.

Mr. APPELL. Of what police force were you a member at that time?

Mr. DELK. Hattiesburg Police Department.

Mr. APPELL. Would you give the committee a brief résumé of your employment background since 1960?

Mr. DELK. West Brothers Motor Express as a supervisor and Mississippi Tank Company as a driver, Fowler Butane Gas Company as transport driver.

Mr. APPELL. And that completes your—

Mr. DELK. That completes it.

Mr. APPELL. During the course of time, have you received compensation from any other sources?

Mr. DELK. Yes, sir.

Mr. APPELL. From what sources?

Mr. DELK. A trucking business of my own.

Mr. APPELL. Have you received compensation from any other sources?

Mr. DELK. Yes, sir.

Mr. APPELL. Where?

Mr. DELK. A night patrol service in Hattiesburg, Mississippi, which we still operate.

Mr. APPELL. Would you explain to the committee what a night patrol service is?

Mr. DELK. It is contract guard duty for individual businesses.

Mr. APPELL. This is a private operation?

Mr. DELK. A private operation.

Mr. APPELL. Is this your business, or are you employed by someone?

Mr. DELK. No; it is my own business.

Mr. APPELL. Have you received income from any other sources?

Mr. DELK. No.

Mr. APPELL. Did you ever receive any income from recruiting a person into the White Knights of the Ku Klux Klan in Mississippi?

(Witness confers with counsel.)

Mr. DELK. Sir, I respectfully decline to answer that question and invoke the defense of the privileges guaranteed to me by the 5th, 1st, and 14th amendments of the Constitution of the United States of America.

Mr. APPELL. Mr. Chairman, I asked the witness whether he had income from any other sources. He said he had none. I then asked him whether he had any income derived from organizing men into the White Knights of the Ku Klux Klan, and he invoked constitutional privileges. I, therefore, ask that the witness be directed to answer the question.

The CHAIRMAN. Yes. I do order and direct you to answer that question. You made a representation voluntarily favorable to you on the subject and then you are confronted with this and you invoke the fifth amendment.

Mr. DELK. Would you please ask that question again?

Mr. APPELL. Yes, sir. Did you receive any income from organizing anyone into the White Knights of the Ku Klux Klan?

Mr. DELK. No, sir.

Mr. APPELL. Did you act as an organizer of the White Knights of the Ku Klux Klan?

(Witness confers with counsel.)

Mr. DELK. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. The constitution and bylaws of the White Knights of the Ku Klux Klan provide that an organizer, until a charter is granted, receives personal compensation. You have never received such compensation?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Isn't that contradictory? The question is, Did you receive income? You might have earned it. I don't know. Did you receive income from a Klan organization for any reason? You said "no." Now you are taking a different position.

Restate that question, please.

Mr. APPELL. The constitution and bylaws provide that, until a Klavern is chartered, the organizer gets personal compensation. Did you ever receive any personal compensation as provided for by the constitution and bylaws?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, I ask that the witness be directed to answer the question.

The CHAIRMAN. I order and direct you to answer the question.

(Mr. Blackwell confers with Mr. Willis off the record.)

(Counsel confers with witness.)

Mr. DELK. Sir, I have already stated all of the compensations that I have received, and that is all.

The CHAIRMAN. Well, is your answer that you did not receive compensation, or you did not receive any money of any kind from the Klan organizations to which you belonged? Is that what you are saying?

You are giving contradictory answers.

(Witness confers with counsel.)

Mr. DELK. No, sir, that is not what I said. I have already enumerated all the compensation that I have received.

The CHAIRMAN. And that is all you received?

Mr. DELK. That is all I have received.

The CHAIRMAN. Then ask him the specific question.

Mr. APPELL. Have you received any compensation in accordance with the constitution and bylaws of the White Knights of the Ku Klux Klan, which provide that an organizer receives a given sum of money for each person he organizes into the White Knights of the Ku Klux Klan?

(Witness confers with counsel.)

The CHAIRMAN. May I say to your counsel that the question is whether he received compensation and money. I separated that from whether he was an organizer.

Mr. BUCKLEY. We appreciate that, Mr. Chairman. We didn't understand it that way.

The CHAIRMAN. Am I correct that when asked whether he was an organizer, he invoked the privilege of the fifth amendment?

Mr. BUCKLEY. Yes, sir.

The CHAIRMAN. I know Mr. Appell didn't intend to indicate an answer to this question as to funds would be an admission that he was organizer.

Did you, as an individual, not as an organizer, receive any compensation or funds from a Klan organization? I say that because it could—I doubt that it would be, but it could be—that a Klan organization might hire people and pay them some money, such as lawyers. That wouldn't make a lawyer a Klansman, I hope. It is not intended that the double-edged question, if it was, that he is admitting membership.

Did he receive any money of any kind as compensation, gift, or remuneration or for work performed, from any Klan organization?

Mr. DELK. No, sir.

Mr. APPELL. Mr. Delk, were you an organizer for the White Knights of the Ku Klux Klan and did you in fact help organize the Forrest County Klavern of the White Knights of the Ku Klux Klan?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, we had a conversation over the telephone with respect to making arrangements to supply you with transportation. You told me on the telephone that we had made a mistake, that you had never been a member of any Klan organization.

Were the statement and representations made to me over the phone truthful?

The CHAIRMAN. I wish you would think about that. You know if it is true. Do what you want to in your answer, however.

Mr. DELK. For reasons previously stated, sir, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, I hand you a document which has no identity as to the source of its publication, but it is a document headed "Secrecy" and it contains approximately nine paragraphs. Examine that and answer as to whether or not you have ever seen that document or a document similar in context.

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Document marked "Harold Delk Exhibit No. 1." See committee report, *The Present-Day Ku Klux Klan Movement*, p. 70.)

Mr. APPELL. Mr. Delk, I would like to read to you, not the entire document, but a few passages from it, and if you and your counsel challenge the reading, I will hand it back:

Secrecy is not only a tight lip, but a tight manner. * * * Develop your own code, substitute [sic] names for all proper names and offices in the organization.

Secrecy is more than just not talking. True Secrecy is a Hardened Mental Attitude by which an individual convinces HIMSELF that he is not a member of that there is no such organization. Secrecy is Mental Discipline and necessary for Victory. When a member is so able to discipline himself, he is not going to ACCIDENTALLY make slips of tongue and manner, and until he DOES so discipline himself he will continue to make such slips.

Is this theory of secrecy, to your knowledge, taught by any organization that you ever held membership in?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I will put it to you as a fact, and ask you to affirm or deny the fact, that this is a document upon which the secrecy of the White Knights of the Ku Klux Klan is based.

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, did you attend a meeting of the White Knights near Raleigh, Mississippi, June 23, 1964, at which time you were elected to the position of province KBI?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, I put it to you as a fact, and ask you to affirm or deny the fact, that on June 23, 1964, at a meeting of the White Knights of the Ku Klux Klan of Mississippi, you were elected to the position of province KBI?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Delk, are you presently a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you a member of the United Klans of America. Realm of Mississippi?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. At the time you were a province KBI, did you know Eddie McDaniel of Natchez, Mississippi, who is now Grand Dragon of the Realm of Mississippi, United Klans of America, to be a province KBI within the White Knights of the Ku Klux Klan?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Mr. Delk, our investigator put to you as a fact, under oath, that you are or were a province investigator, or a member of what is called a Klan Bureau of Investigation. Was he right? Did he tell the truth or not?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. A moment ago Mr. Appell said that, in a telephone conversation you had with him, you said a mistake had been made and that you were not a member of the Klan. Now, I am simply asking this: Did you make that statement to Mr. Appell?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Were you a member of the Klan Bureau of Investigation at the same time that you were a police officer in Hattiesburg, Mississippi?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you have a telephone conversation with Mr. Appell?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you phone him in order to try to butter him up so that you wouldn't be called here today? Now, I am asking you these questions to test the accuracy of our investigators.

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I say to you that we have had such telephone conversations that have developed information to satisfy us in the belief that people have tried to ingratiate their cause with the committee investigators.

Mr. WELTNER. Mr. Delk, you testified that during the years 1953 to 1958 you attended certain training courses sponsored by the Federal Bureau of Investigation in the State of Mississippi. What was the nature of the training given in those courses over that period of time?

(Witness confers with counsel.)

Mr. DELK. The nature of these training courses was fingerprinting, classifying fingerprinting, collection and preservation of evidence, and just general police investigation work.

Mr. WELTNER. Was there any instruction in the use of firearms?

Mr. DELK. There were exhibitions.

Mr. WELTNER. Pistol exhibitions?

Mr. DELK. Yes.

Mr. WELTNER. And what would be called a submachine gun?

Mr. DELK. No, sir.

Mr. WELTNER. Pistols were the only weapons in which the instructions were given?

Mr. DELK. Yes, sir.

Mr. WELTNER. Now, what about security? Was there any instruction in either the maintenance of internal security or instruction in protective security as part of these FBI schools? For instance, were you given any instruction as to how a police organization might surround a house where someone had barricaded himself with weapons and how to disarm that person?

Mr. DELK. No, sir.

Mr. WELTNER. What was the nature of your duties with the police force of Hattiesburg, Mississippi?

Mr. DELK. I was a patrolman.

Mr. WELTNER. How long did you serve as such?

Mr. DELK. Both times that I was a member of the Hattiesburg Police Department, I believe it would add up to 6 or 7 years. I would have to go back in the dates.

Mr. WELTNER. Well, you were given training in these weapons and police procedures as a member of that police force, too, I suppose; were you not?

Mr. DELK. No, sir, I am sorry to say not. They do now, but they didn't then.

Mr. WELTNER. They gave you a badge and a gun?

Mr. DELK. A badge and a gun and go get them.

Mr. WELTNER. When you enrolled in those FBI schools, were you required to sign any kind of a statement concerning membership in subversive organizations or organizations whose names were listed on the Attorney General's list of subversive organizations?

(Witness confers with counsel.)

Mr. DELK. I really don't remember, but I don't think so.

Mr. WELTNER. When you enter the Army or the Federal service, you have to sign a statement that includes a long list of organizations, including the Communist Party and others?

Mr. DELK. Yes.

Mr. WELTNER. You don't recall having to sign any such statement?

Mr. DELK. No, sir, I don't recall having signed such a statement..

Mr. WELTNER. Do you recall making any representations at the time you enrolled in those schools, other than just to state your name and police organization with which you were affiliated?

Mr. DELK. We were sent to these schools by our superiors. They told us to go and where to go.

Mr. WELTNER. You didn't have to swear that you would uphold and defend the Constitution of the United States?

(Witness confers with counsel.)

Mr. DELK. I did that when I was sworn in as a police officer, but not at these schools.

Mr. WELTNER. When you went into the schools, you had to make no such representation with regard to the Government of the United States?

Mr. DELK. No, sir.

Mr. WELTNER. Were you a member of the Ku Klux Klan when you attended these FBI schools?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Were any other members of the Hattiesburg, Mississippi, Police Force during this period of your service, 6 or 7 years, members of any Ku Klux Klan organization?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Would the operations of the private Klan Bureau of Investigation include fingerprinting or classification of fingerprinting and collection of evidence?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. And would it involve the use of firearms, a knowledge of the nomenclature and operation of firearms, the maintenance of firearms, and the operation thereof?

Mr. DELK. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. WELTNER. Mr. Chairman, I have no further questions of the witness. I do have this comment: A few weeks ago we determined that the Federal Aviation Agency was a tenant of the Ku Klux Klan in the State of Georgia, and I think the evidence here indicates that the Federal Bureau of Investigation has, at least to some extent, imparted a knowledge of procedures and training that can be, and possibly has been, used not only as a part of the Federal Bureau of Investigation, but also the Klan Bureau of Investigation. And I think it might be appropriate to forward this testimony to the FBI and to inquire as to what procedures they may now have con-

cerning the acceptance of police officers or special training courses, with a specific suggestion that if they do not do that now, there should be some statement required by every enrollee as to membership or lack of membership in the Ku Klux Klan or other organizations similar to those listed on the Attorney General's list of subversive organizations.

I have no further questions.

The CHAIRMAN. The witness is excused.

The committee will stand in recess until 2 o'clock.

(Members present: Representatives Willis, Pool, Weltner, and Buchanan of the subcommittee, and also Representative Senner.)

(Whereupon, at 12:20 p.m., Friday, January 14, 1966, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—FRIDAY, JANUARY 14, 1966

(The subcommittee reconvened at 2:35 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Members present: Representatives Willis, Pool, and Buchanan of the subcommittee, and also Representative Senner.)

The CHAIRMAN. The subcommittee will come to order. Mr. Appell, call your first afternoon witness.

Mr. APPELL. Edward Willard Fuller.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear, sir, to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FULLER. I do, sir.

TESTIMONY OF EDWARD WILLARD FULLER, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. Mr. Fuller, would you state your full name for the record?

Mr. FULLER. Edward W. Fuller, sir.

Mr. APPELL. "W" for Willard?

Mr. FULLER. Yes, sir.

Mr. APPELL. Are you appearing here in accordance with the subpoena served upon you on November 3, 1965, by Mr. John D. Sullivan, an investigator of this committee?

Mr. FULLER. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. FULLER. Yes, sir.

Mr. APPELL. Will counsel identify himself for the record?

Mr. CHALMERS. Lester V. Chalmers, Jr., attorney at law, Room 501. First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Fuller, when and where were you born?

Mr. FULLER. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer may tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

The CHAIRMAN. Mr. Chalmers.

Mr. CHALMERS. Yes, sir.

The CHAIRMAN. I assume, as usual, it is stipulated that your client is familiar with the opening statement I made at the beginning of the hearings.

Mr. CHALMERS. Yes, sir.

Mr. APPELL. Mr. Fuller, the subpoena served upon you called for you to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely the Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as present or past Exalted Cyclops and member of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in paragraph 1 of the subpoena, Mr. Fuller, I ask you to produce the documents called for.

The CHAIRMAN. It is understood, is it not, that he is responding to the request to produce the documents in the capacity stated in the subpoena?

Mr. CHALMERS. Yes, sir, Mr. Chairman; our same stipulation.

Mr. FULLER. Sir, I respectfully decline to deliver to this committee any and all documents as demanded by the committee in its subpoena dated October 6, 1965, for the reason I honestly feel that to do so might tend to incriminate me in violation of my rights guaranteed to me by amendments 5, 1, 4, and 14 of the Constitution of the United States of America.

I respectfully decline to deliver to this committee any and all records as requested by this committee on the subpoena dated October 6, 1965, for that information is not relevant and germane to the subject under investigation and the same would not aid the Congress in the consideration of any remedial legislation, nor is such inquiry within the scope of that authorized to be investigated by Rule XI of the rules adopted by the 89th Congress in House Resolution 8, adopted January 4, 1965.

The CHAIRMAN. Mr. Fuller, in light of the stipulation made, I direct you to produce those documents.

Mr. FULLER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Fuller, paragraph 2 of the subpoena called upon you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control, or maintained by or available to you, in your capacity as present or past member of the White Knights of the Ku Klux Klan and the Mississippi Constitutional Council which the Constitution and Laws of said organization authorize and require to be maintained by you and any other officer of said organization the same being in your possession, custody or control.

The CHAIRMAN. The same stipulation?

Mr. CHALMERS. Yes, sir.

Mr. APPELL. Mr. Fuller, in the representative capacity set forth in paragraph 2, I ask you to produce the documents called for.

Mr. FULLER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

The CHAIRMAN. Mr. Fuller, I order and direct you to produce the documents.

Mr. FULLER. I respectfully decline to deliver to the committee the documents demanded and ordered by the committee, based upon the grounds previously stated.

Mr. APPELL. Mr. Fuller, would you give the committee your educational background?

Mr. FULLER. I respectfully decline to answer that question for the reason I honestly feel my answer might tend to incriminate me in violation of my rights as guaranteed to me by amendments 5, 1, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Fuller, do you know Mr. John D. Sullivan, an investigator of the committee, who sits on my right?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that on August 18, 1965, that Mr. Sullivan interviewed you in his motel room at the Holiday Inn Motel in Natchez, Mississippi.

Mr. FULLER. I respectfully decline to answer the question, based upon the grounds previously stated, sir.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that you advised Mr. Sullivan that you had joined the White Knights, the Sligo Unit, in September 1964 and were the exalted cyclops of that Klavern; that Joe Nossor was the assistant exalted cyclops; that J. L.—who I believe is referred to as “Big Mac” McKinney, was the investigator; and that you were succeeded as the exalted cyclops by Robert Myers. Is the report of the interview made by Investigator Sullivan truthful?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, do you know Gene C. Scott?

Mr. FULLER. I respectfully decline to answer that question based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, Mr. Scott, while to the best of my knowledge never having been a member of the Klan, made a tape recording for a Natchez newspaper in which he identified certain residents of the area as Klansmen. Through some method, the tape recording that he made fell into the hands of the Klan, and I hand you a copy of a document entitled “The Klan’s Rebutal [sic] to the Miss Lou’s Observer,” addressed “To All Patriotic Citizens of Adams County,” signed “United Klans of America, Inc., Knights of the Ku Klux Klan, Realm of Mississippi, Adams County Units,” and ask you if you are aware of the publication of that document.

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

(Document marked “Edward Fuller Exhibit No. 1” appears on p. 2794.)

Mr. APPELL. Following notice that Scott had engaged in this reporting to a local newspaper, I put it to you as a fact, and ask you to affirm or deny the fact, that you and James “Big Mac” McKinney, beat Scott and threatened to kill him.

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

EDWARD FULLER EXHIBIT No. 1

THE REBUTAL

THE KLAN'S REBUTAL TO THE MISS LOU'S OBSERVER

TO ALL PATRIOTIC CITIZENS OF ADAMS COUNTY:

For several weeks now we have been reading in the Miss-Lou Observer of a confession given to Mr. Forrest Johnson in the presence of a Mr. Winkler by an informer who claims to have been a Klansman. This informer's name is Mr. Scott who is safely out of town in Vicksburg, Miss. driving a cab. We would like to inform the public that this confession was made with the intention of Mr. Winkler selling this confession and the proceeds being divided between Mr. Winkler and Mr. Scott. This confession was made on Jan. 21 & 23, 1965.

The following questions were asked by Mr. Johnson; the answers were given by Mr. Scott:

Question: Mr. Scott, you understand that the information that you are about to give us will be given under Oath?

Answer: Yes, I do. (Oath was then administered)

Question: Mr. Scott are you a member of the Klan?

Answer: Yes, I am.

Question: How long have you been a member of the Klan?

Answer: About one year.

Question: Who administered the oath of the Klan to you?

Answer: A man by the name of _____.

Question: How much does it cost to join the Klan?

Answer: \$25.00 and \$10.00 annual fee.

Question: Do you know who is the head of the Klan here in Adams County?

Answer: I am not sure but I believe that Mr. _____ is the one that gives the final orders.

Question: Mr. Scott could you tell us if Mr. _____ is a member of the Klan?

Answer: Yes, he is a member.

Question: Mr. Scott, how about Mr. _____ is he a member of the Klan?

Answer: Well, I am not sure, but I believe that he is. He has been seen at the meetings on several occasions.

Question: Mr. Scott, do you know if Mr. _____ is a member of the Klan?

Answer: Yes, he is.

Statement: I am going to call some names and I want you to tell me if they are members of the Klan. _____

Question: Are these men members of the Klan?

Answer: Yes, they are.

Our fellow citizens, we would like to inform you that Mr. Scott was not a member of the Klan one year prior to Jan. 21, 1965, neither is he a member of the Klan now, nor will he ever become a member of the Klan.

Let us go further with this so called confession:

Question: Mr. Scott, do you know anything about the negro that was killed out in the Kingston area?

Answer: Yes, I do. There were four of us in the car. Myself, _____, and two men from out of town whom I did not know. We all had pistols. We went to the Kingston area to talk to this negro. When we found him he started running and one of the men from out of town shot him.

Question: Mr. Scott, when did you know that he was dead?

Answer: When I read it in the paper.

Our fellow citizens, have any of you read about a negro being killed in the Kingston area by unknown assailants in the past year? (We haven't read about it.)

Let us continue into this so called confession:

Question: Mr. Scott, do you know anything about the shooting of the sign at Dumas Motel?

Answer: Yes, I do.

Question: Who shot it?

Answer: There were three of us in the car that night. Myself, _____ & _____.

Question: Mr. Scott, do you know about the beatings that took place here in the Matches area?

Answer: Yes, I do.

Question: Can you tell us who done this?

Answer: Yes, it was usually four of us. Myself, _____, _____ & _____. Or it was sometimes done by _____ & _____.

Question: Mr. Scott, do you know anything about the branding of the Myers horse and the negro Washington.

Answer: Yes, I do.

Now, Mr. Johnson and Mr. Winkler, you have boasted of your confession. You now have two alternatives. (1) you can retract your slanderous remarks about the Klan. (2) you can give to the public this so-called confession or we will compose it for you by having a public meeting and playing the entire recording.

We expect a reply within two weeks.

SIGNED:

UNITED LIONS OF AMERICA, INC.
DIRECTOR OF THE ADAMS CLAN
ADAMS COUNTY UNIT

Mr. APPELL. Do you know Karl T. Deen of Natchez, Mississippi?

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, Karl Deen was trying to collect some money from him by a friend. In trying to run this man down for the purpose of collecting the money, he trailed him to your residence, where a Klan meeting was being held. He parked his car in order to wait for his friend to get out and he was observed by you and Big Mac McKinney, and you threatened the man and fired shots at his automobile. I put it to you as a fact and ask you to affirm or deny the fact.

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that at a later time in order to do a favor for your friend, Annie Clark, who did not want to repay the money owed, that you stopped by Karl Deen's home, you and Big Mac McKinney, for the purpose of taking him out and beating him.

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, do you know a Negro by the name of Richard Joe Butler?

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, were you arrested under a warrant which charged you with willfully, unlawfully, and feloniously making an assault or assault and battery upon one Richard Joe Butler, a human being, with a deadly weapon, that is, a shotgun, with the intent of him, said Edward Fuller, to feloniously kill or murder the said Richard Joe Butler?

Mr. FULLER. Sir, I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, the constitution of the White Knights of the Ku Klux Klan sets forth in Section 10 [Article V]:

The membership of the Klan shall be composed of Christian men who meet requirements heretofore stated and who are Twenty-One Years of Age, or over, sound of mind, sober in habits, of good moral character and not guilty of rape, murder, or treason. (Gordon Locky Exhibit No. 2.)

Are you familiar with that provision?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, were you arrested on May 17, 1947, in an investigation for rape?

Mr. CHALMERS. May I approach the bench, please, sir?

The CHAIRMAN. Yes.

Answer the question.

Mr. FULLER. I respectfully decline to answer the question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, were you arrested on the following date for the following offenses: 10/24/47, fighting and disorderly?

Mr. FULLER. I respectfully decline to answer—

Mr. APPELL. I am going to list them all.

Mr. FULLER. Excuse me.

Mr. APPELL. 4/30/48, drunk; 9/5/48, drunk; 5/18/55, speeding; 2/27/56, carrying concealed weapons; 6/30/56, drunk; 7/27/58, fighting and disorderly; 8/12/58, fighting and disorderly; 2/15/64, reckless driving.

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, are you currently a member of the United Klans of America?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Did the United Klans of America, when they permitted you to transfer from the White Knights of the Ku Klux Klan know of your criminal background?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, in addition to the items that I have read to you, were you involved in other acts of violence which you carried out as a member of either the White Knights of the Ku Klux Klan of Mississippi or the United Klans of America?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Can you tell the committee who bombed the home of Mayor Nossier of Natchez?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Do you know James Ford Seale?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Have you ever assisted James Ford Seale in carrying out an act of violence in behalf of the White Knights of the Ku Klux Klan or the United Klans of America?

Mr. FULLER. I respectfully decline to answer that question upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, is your profession that of a gambler?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. The club in which you are now employed in Louisiana—

The CHAIRMAN. Ask that question again.

Mr. APPELL. Is the club in which you are presently employed in Louisiana one in which you operate as a gambler?

Mr. FULLER. I respectfully—

The CHAIRMAN. One in which you operate as what?

Mr. APPELL. Gambler.

The CHAIRMAN. What part of Louisiana?

Mr. APPELL. Ferriday.

The CHAIRMAN. Ferriday is right across the river in Louisiana from the Mississippi line; isn't that correct, Mr. Fuller?

Mr. FULLER. I respectfully decline to answer that question on the grounds previously stated, sir.

The CHAIRMAN. I say that it is. Go on.

Mr. APPELL. The place in which you operate your gambling is at "Blackie" Drane's.

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Fuller, are you associated while a member of the United Klans of America, Knights of the Ku Klux Klan, in the operation of houses of prostitution?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. Mr. Fuller, it is our information that in some way you transferred your membership from the White Knights of the Ku Klux Klan of Mississippi to the United Klans of America under the titular head of Imperial Wizard Robert Shelton. Is that information correct?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. POOL. I just have an observation, Mr. Chairman. It looks like the United Klans of America are not much more selective than the White Knights.

Mr. BUCHANAN. Mr. Fuller, evidence would indicate you were first a member of the White Knights and then were accepted into the membership of the United Klans. Would you consider yourself a typical member of the White Knights and of the United Klan membership?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. BUCHANAN. Are you a member in good standing of either of these organizations?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. SENNER. Mr. Fuller, do you possess a Federal gambling tax stamp?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. SENNER. Do you have slot machines on this establishment described by Mr. Appell?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. SENNER. Do you have any other gambling devices in that establishment?

Mr. FULLER. I respectfully decline to answer that question, based upon the grounds previously stated, sir.

Mr. SENNER. An observation. You have been busy, Mr. Fuller. No more questions.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. James Kenneth Greer.

The CHAIRMAN. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

**TESTIMONY OF JAMES KENNETH GREER, ACCOMPANIED BY
COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY**

Mr. APPELL. Mr. Greer, will you state your full name for the record?

Mr. GREER. James Kenneth Greer.

Mr. APPELL. You are appearing here in accordance with a subpoena served upon you on November 3, 1965, by John D. Sullivan, an investigator of this committee at the International Paper Company, Natchez, Mississippi?

Mr. GREER. Yes, sir.

Mr. APPELL. You are represented by counsel?

Mr. GREER. Yes, sir.

Mr. APPELL. Will counsel please identify themselves for the record?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Greer, when and where were you born?

Mr. GREER. December 30, 1932, Natchez, Mississippi.

Mr. APPELL. What is your educational background?

(Witness confers with counsel.)

Mr. GREER. I went to school to the 11th grade at Ruth, Mississippi.

Mr. APPELL. Have you completed your educational background?

Mr. GREER. Yes, sir.

Mr. APPELL. What is your employment background?

Mr. GREER. Since what time?

Mr. APPELL. Since 1960.

Mr. GREER. I have been an employee of International Paper Company of Natchez, Mississippi.

The CHAIRMAN. A little louder.

Mr. GREER. I have been an employee of the International Paper Company, Natchez, Mississippi, since that time.

Mr. APPELL. Have you received income from any other sources?

Mr. GREER. No, sir.

Mr. APPELL. Have you ever received any income from the White Knights of the Ku Klux Klan of Mississippi?

(Witness confers with counsel.)

Mr. GREER. No, sir.

Mr. APPELL. Mr. Greer, do you hold the position of a province giant, Province No. 9, of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GREER. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendment of the Constitution of the United States of America.

Mr. APPELL. Mr. Greer, were you ever arrested along with other individuals for an assault—

The CHAIRMAN. Mr. Greer, are you familiar with the constitution or bylaws of the organization known as the White Knights of the Ku Klux Klan of Mississippi, outlining requisites for membership that a man must be sober, of good moral character, and so on? Are you familiar with that provision?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Go on now.

Mr. APPELL. Mr. Greer, were you ever arrested for an assault upon civil rights workers in Mississippi?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege in his refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Greer.

Mr. Greer was arrested by the Mississippi Highway Safety Patrol on October 22, 1964, under a bench warrant which charged Mr. Greer, Ernest Henry Avants, and Myron Wayne "Jack" Seale with assault and battery with the intent to kill and murder. The charge was placed following an investigation and an attack on two civil rights workers on October 31 and again on November 2, 1963. The three denied the charges, and the charges against them were dismissed when the civil rights workers failed to return to Mississippi for the trial.

Mr. POOL. Is that October 31, 1963, or 1964?

Mr. APPELL. 1963 was the assault, 1964 was the arrest.

While under arrest, James Kenneth Greer admitted that he had joined a Klan organization, which he described as the National Knights, in late 1963. Committee investigation establishes this Klan to be the Mississippi Realm of the Original Knights of the Ku Klux Klan, then under leadership of J. D. Swenson and Royal V. Young, which might then have been a part of a Klan association known as the National Knights. In December 1963, Greer stated that a group from this Klan started the formation of a new Klan which became a formal organization in February 1964 under the name of the White Knights of the Ku Klux Klan of Mississippi. Greer identified individuals whom he knew, as of November 1964, to be present or past members of the White Knights of the Ku Klux Klan of Mississippi and also identified some who affiliated with the United Klans of America after leaving the White Knights. In addition to his admissions, committee investigation established that Greer held the position within the White Knights of province grand of Province No. 9. Greer attended the original meetings of the White Knights, which established the White Christian Protective and Legal Defense Fund in January 1965.

On March 23, 1965, at a state meeting of the White Knights at Jackson, Mississippi, Dewitt Sandifer turned over to Imperial Wizard Bowers approximately \$2,500 with Bowers giving James Kenneth Greer \$700 to \$900 for legal expenses. This information, Mr. Chairman, indicates that Mr. Greer possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Greer, you have heard the sworn statement of the committee's investigator and you now have the opportunity to reply to any portion of that statement, confirm or challenge the accuracy of the information, or to explain any part of it. In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry. Do you care to avail yourself of this opportunity?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Mr. Greer, I must inform you, therefore, that without your rebuttal or contrary facts that may come to the attention of the committee, this committee will rely on the accuracy of its investigation.

Bearing this in mind, have you anything to say?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Greer, I put it to you as a fact that the following statement was made by you to investigators of the Mississippi Highway Safety Patrol and in the presence of agents of the Federal Bureau of Investigation:

James Kenneth Greer, Route 4, Box 101, Fenwick, Mississippi, was interviewed while in custody of the Mississippi Highway Safety Patrol. * * * Greer advised that he desired to furnish information pertaining to the organization and members of the various Ku Klux Klan (KKK) groups operating in Adams County, Mississippi.

Greer stated that to his knowledge there are three organizations presently operating in Adams County: one organization being the White Knights of the KKK of Mississippi, of which he is an active member, the United KKK, and the National KKK. Greer stated that in about June of 1964 the Mississippi KKK was broken into three different Klaverns within Adams County set up basically in the form of districts as to residence. He advised that in June of 1964 Ernest Henry Avants, who was a member of the Mississippi KKK and an active member of the Americans for the Preservation of the White Race (APWR), took it upon himself to start a feud within the various Klaverns of the Mississippi KKK. He stated that at that time Avants was dissatisfied inasmuch as certain members of the organization were failing to pay dues and were creating an ill feeling among other members of the KKK, became intoxicated one night and at about 3 a.m. in the morning went to the Klavern headquarters located on Morgantown Road, Natchez, Mississippi, and shot the lock off the Klavern headquarters door with a .44 pistol and sprayed numerous bullets throughout the headquarters. He stated that this extremely upset the Klavern and that some of the members of the Mississippi Klan left this Klavern and joined the United KKK which is under the leadership in Natchez of Ed McDaniel.

He stated that the following individuals were dissatisfied, and were dissatisfied because the Mississippi KKK did not advocate forms of violence and as such, joined the United KKK. Greer states that these individuals advocate violence and are extremely strong segregationists. Ernest Finley, F-i-n-l-e-y; Frank S. Gaston, G-a-s-t-o-n; Charles L. James, J-a-m-e-s; Jeff Luke, L-u-k-e; Cecil Roberts, R-o-b-e-r-t-s; Paul L. Foster, F-o-s-t-e-r; Nelson Haney, H-a-n-e-y; Tommy L. Jones, J-o-n-e-s; Ed McDaniel, M-c-D-a-n-i-e-l; Myron Wayne Seale, S-e-a-l-e.

He stated that he believes the United Klan Klavern in Adams County consists of less than 100 members; however, the only known active members in the Klavern to him are those mentioned above. Greer stated that he was one of the original members of the White Knights of the Ku Klux Klan of Mississippi which commenced organizing in about December 1963, in Adams County. He stated that at this time possibly numerous members of his organization were former members of the National KKK of Louisiana and that a large group decided to withdraw from the national group and form their own organization within the State of Mississippi. He stated that in February of 1964 the KKK of Mississippi was drawn up and recruiting commenced. He stated that it was established that there would be three Klaverns within Adams County and one exalted cyclops and nine officers would be appointed for each Klavern. He stated that due to the action of Avants in shooting up the Klavern headquarters, he stated that he believes that at the present time there are only two active Klaverns remaining in Adams County and that the membership is less than 100 persons and that their meetings are no longer held in any one location, but at the homes of various

individual members. He stated that at the time Avants shot up the Klavern headquarters the group was meeting at a block house on Morgantown Road in Natchez. However, to his knowledge, the Klavern has not met at this headquarters since that time. He stated that this property on which the Klavern headquarters was located was either leased or owned by Nelson Haney.

Greer advised that the following individuals are either present or former members of the White Knights of the Ku Klux Klan of Mississippi:

John William Barber, active member. J. W. Birchfield, former member, but left Klan when he obtained position as constable. John Bostick, active member. (First names unknown) Britt, two brothers who were active members at one time, but both believed inactive at present time. Douglas Byrd, active member. "Peanut" [last name] Carnell, former active member who now may be member of the United Klan. J. D. Crawford, former member who left organization shortly after joining to take constable position. (First name unknown) DeMarco, active member. Claude Fuller, active member. Ed Fuller, active member. M. L. House, active member. James L. McKinney, active member. Henry L. Moore, active member. However, due to his employment, has never been able to attend any of the KKK meetings. (First name unknown) Murray, former member who is no longer member due to his employment as a member of the Natchez Police Department. Ernest B. Parker, former member and no longer active. However, may be a member of the United Klan as he is a close associate of Myron Wayne Seale.

(At this point Mr. Weltner entered the hearing room.)

Mr. APPELL. [Continues reading:]

Joe Peoples, former member who may be associated with the United Klan. J. R. Rankin, former member, no longer affiliated, who is a deputy sheriff, Adams County. Willie Stroud, former member who left membership due to his position on the Natchez Police Department. T. L. Torgersen, former member, who may have associated himself with the United Klan. J. G. Wisner. Billy L. Wood, may presently be an active member.

Greer stated that both the sons of Mayor John Nossor were former members of the Mississippi KKK; however, he has no knowledge of Mayor Nossor ever associating with this Klan.

Mr. Greer, I have read you the statement of the interview with you by the Mississippi Highway Safety Patrol in the presence of the agents of the Federal Bureau of Investigation and I ask you to affirm or deny the fact that this is the interview that you gave.

(Witness confers with counsel.)

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I wish to state and acknowledge that the Mississippi Highway Safety Patrol under the leadership and command of Colonel Birdsong has done an excellent job in coping with Klan activities in the great State of Mississippi.

Mr. APPELL. Mr. Greer, do you know from your own personal knowledge that the Klavern of the United Klans of America in Natchez, Mississippi, is known and operates under the name of the Adams County Civic & Betterment Association?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Paul Foster, whom you identified in your interview as having broken with the White Knights and gone over to the UKA, as you put it, because the White Knights was not violent enough, do you know him to be the first grand chaplain of the White Knights of the Ku Klux Klan of Mississippi?

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. The province of which you were the province giant—and under the White Knights constitution there are two province officers, the province giant and the province KBI—I put it to you as a fact, and ask you to affirm or deny the fact, that serving with you on the province level was E. L. McDaniel, the now Grand Dragon of the United Klans of America, Realm of Mississippi, and one of the founders of the White Knights of the Ku Klux Klan of Mississippi.

Mr. GREER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions to ask of this witness.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Gerald Whitehead.

The CHAIRMAN. Do you solemnly swear, sir, to tell the the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHITEHEAD. I do.

TESTIMONY OF WILLIE GERALD WHITEHEAD, ACCOMPANIED BY COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY

Mr. APPELL. Mr. Whitehead, state your full name for the record.

Mr. WHITEHEAD. Willie Gerald Whitehead.

Mr. APPELL. W-i-l-l-i-e, and the last name, W-h-i-t-e-h-e-a-d?

Mr. WHITEHEAD. Right.

Mr. APPELL. Mr. Whitehead, are you appearing here today in accordance with the subpoena served upon you on December 23, 1965, by John D. Sullivan, an investigator of this committee at 207 Janet Street, Crystal Springs, Mississippi?

Mr. WHITEHEAD. Yes, sir.

Mr. APPELL. Mr. Whitehead, are you represented by counsel?

Mr. WHITEHEAD. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BLACKWELL. Charles G. Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Whitehead, when and where were you born?

Mr. WHITEHEAD. Meridian, Mississippi, July 8, 1934.

Mr. APPELL. Give the committee a brief résumé of your educational background.

Mr. WHITEHEAD. I finished high school in 1953. That's it.

Mr. APPELL. Did you have a period of military service in either the United States or the State of Mississippi?

Mr. WHITEHEAD. Yes, sir.

Mr. APPELL. What was your period of military service?

(Witness confers with counsel.)

Mr. APPELL. I see you are having difficulty. Was it between December 1951 and September 1954?

Mr. WHITEHEAD. It was before '53. I was in the National Guard.

Mr. APPELL. I say from the period December 1951, with an honorable discharge in September 1954, because of your inability to attend drills?

Mr. WHITEHEAD. Yes, sir.

Mr. APPELL. Would you give the committee your employment background from 1960?

Mr. WHITEHEAD. I was a wholesale milk route salesman until June of last year and I became an insurance agent.

Mr. POOL. Life insurance or casualty?

Mr. WHITEHEAD. Both.

Mr. APPELL. Are you currently selling insurance?

Mr. WHITEHEAD. No, sir, not any more.

Mr. APPELL. What are you presently doing?

Mr. WHITEHEAD. Working with a drilling rig.

The CHAIRMAN. Offshore Louisiana?

Mr. WHITEHEAD. Right.

Mr. APPELL. What parish of Louisiana?

Mr. WHITEHEAD. Out of Leesville.

Mr. APPELL. Mr. Whitehead, have you held a position within the White Knights of the Ku Klux Klan as province giant of Province No. 1?

Mr. WHITEHEAD. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. Is the Klavern of the White Knights to which you are affiliated, the Copiah Rod and Gun Club?

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, that the Klavern of which you were a members does operate under the cover name of the Copiah Rod and Gun Club.

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Another officer—the other province officer at the time—

The CHAIRMAN. Before you ask that question—Mr. Whitehead, I want to ask you a simple question. The answer is in your conscience, and you can speak the truth before this committee. Are you now a member of a Klan organization?

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Whitehead, at the time you were the province giant of Province 1, was H. L. Holmes, Jr., of Jackson, the province KBI?

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Julius Harper was the Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi. I put it to you as a fact, and ask you to confirm or deny the fact, that he was a member of your Klavern.

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer the question.

Mr. APPELL. Mr. Whitehead, what Klaverns of the White Knights existed under the province of which you were the province giant?

Mr. WHITEHEAD. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, the staff has no further questions.

The CHAIRMAN. The witness is excused. Call your next witness.

Mr. APPELL. Charles Marcus Edwards.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EDWARDS. Yes, sir.

**TESTIMONY OF CHARLES MARCUS EDWARDS, ACCOMPANIED BY
COUNSEL, CHARLES J. MAY III AND TRAVIS BUCKLEY**

Mr. APPELL. Mr. Edwards, would you state your full name for the record?

Mr. EDWARDS. Charles Marcus Edwards.

Mr. APPELL. That is "E-d-w-a-r-d" with an "s" on the end?

Mr. EDWARDS. Yes, sir.

Mr. APPELL. Are you appearing here today in accordance with a subpoena served upon you on November 3, 1965?

Mr. EDWARDS. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. EDWARDS. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Edwards, when and where were you born?

Mr. EDWARDS. July 17, '33, Franklin County.

Mr. APPELL. The city of your birth would be Meadville?

Mr. EDWARDS. I am not sure, sir.

Mr. APPELL. Where do you presently reside?

Mr. EDWARDS. Route 2, Meadville, Mississippi.

Mr. APPELL. Mr. Edwards, would you give the committee a brief résumé of your educational background?

Mr. EDWARDS. I finished the 11th grade at Meadville, Mississippi.

Mr. APPELL. Would you give the committee a brief résumé of your employment background since 1960?

Mr. EDWARDS. I have been employed by International Paper Company, sir.

The CHAIRMAN. Of where?

Mr. EDWARDS. Natchez, Mississippi, sir.

Mr. APPELL. Mr. Edwards, in July of 1964, were you a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. EDWARDS. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. Mr. Edwards, did you know two Negroes named Charles Moore and Henry Dee?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Edwards, I would like to read to you a clipping from the McComb, Mississippi, *Enterprise-Journal* of July 14, 1964.

The search for three missing Mississippi civil rights workers seems to have turned up two previously unsuspected slayings and a new mystery for officers.

Two bodies—the lower halves each—were found in a sluggish offshoot of the Mississippi River about 17 miles south of here.

They were tentatively identified as the remains of two Negro youths from Meadville, a small town near Natchez.

Sheriff Ralph Hutto at Meadville said today neither youth was known to be involved in civil rights work or any other controversial issue.

SEEN TOGETHER

The last time they were seen around Meadville was May 2, he added. They were together at the time. He said the families reported they later heard the youths were at Hammond, La., and Monroe, La.

State, federal and county officers riding in flatbottom aluminum boats, continued their search of the "Old River" loop of the Mississippi.

The bodies were at a Jackson, Miss., laboratory. Authorities declined all comment on the results of pathology reports or other investigation.

The first body, found Sunday, was tentatively identified as that of Charles Moore, 20, a former student at Alcorn A&M College at Lorman, Miss.

SECOND IDENTIFIED

Dr. J. D. Boyd, college president, said he recalled Moore as a well-behaved freshman. He said he didn't know whether Moore was among students expelled last spring for civil rights work.

The second body, found yesterday, was believed to be that of Henry Dees.

Madison Parish Sheriff W. M. Seaman discovered the second body on the Mississippi side of the sluggish stream, once the main channel of the Mississippi but now a—

I can't read the word—"with little current except during high water."

Mr. Edwards, do you know anything about the Charles Moore and Henry Dee matter?

Mr. EDWARDS. Sir, for reasons previously stated, I respectfully decline to answer that question.

(Document marked "Charles Edwards Exhibit No. 1." Not reproducible; retained in committee files.)

Mr. APPELL. Were you arrested on an affidavit which charged that you did willfully, unlawfully, and feloniously and with malice aforethought kill one Charles Moore, a human being, without authority of law, and the second warrant charging the same thing with respect to Henry Dee?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Edwards, did you make a statement to the Mississippi Highway Patrol when you were arrested?

Mr. EDWARDS. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Edwards, I shall read to you from a Mississippi Highway Patrol report which reads as follows:

Charles Marcus Edwards was arrested at 5:25 A.M., November 6, 1964 at his residence, Route 2, Meadville, Mississippi (Bunkley Community) by MHSP [Mississippi Highway Safety Patrol] Investigators * * * with FBI Agents * * *. Edwards answered his front door in response to a knock * * *, leaving the green door locked. Mr. Cole, [an investigator for the Mississippi Highway Patrol], identified the officers and told Edwards he wanted to talk with him at which time, Edwards asked Cole if he had a warrant for his arrest. Cole replied

that he did have a warrant charging him with murder and instructed Edwards to open the door which he did.

Edwards was informed by Investigator Cole that he had a right to an attorney and that he had a right not to make any statement and that any statement he made might be used against him in a court of law. No threats, promises or offers of reward were made to Edwards by any of the officers.

The report tells about taking you then to headquarters at Jackson, Mississippi, where an interview commenced at 7:15 a.m.

The report reads:

He admitted being acquainted with Henry Dee, a Negro whom he stated formerly lived in the same general area where Edwards resided. He initially denied knowing anyone identifiable with Charles Moore.

I will skip:

At 9:07 A.M. Edwards volunteered that he had to move from his former address to his present location several months ago because his wife was afraid of Negroes who parked in front of their home at night. He stated that Dee was one of these Negroes and that his wife had complained that she had seen Dee on one occasion "Peeping" at her. Edwards stated that at about this time he went with James Seale and some others and picked up Dee and another Negro male at Meadville. He claimed the name and identity of this other Negro was unknown to him, stating that their intention was to whip the two men. Edwards stated they took the two men to some woods and whipped them and that the two Negroes were still alive when he left. He stated he did not know what happened to them and declined to identify the others present.

Mr. Edwards, did you make the statement I read to you to members of the Mississippi Highway Patrol and to agents of the FBI?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Was your statement to them that these two Negroes were alive when you left them true or false?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Who were the other members of the party who, along with you and, as you stated, James Seale, took the Negroes into the field? Who were they, sir? Who were the others?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Edwards, at the time you related that you picked these two boys up and took them into a field to whip them, were you a member of a Ku Klux Klan organization?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Were the others who were in the party that you describe members of a Ku Klux Klan organization?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Are you today a member of a Ku Klux Klan organization?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. I have no further questions to ask this witness.

The CHAIRMAN. Mr. Edwards—I will come right down to it—did the alleged Peeping Tom incident—was the alleged Peeping Tom incident ever reported to the police? I didn't say with reference to Henry Dee.

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Now, with reference to Charles Moore, thus far away, according to the news accounts, the sheriff said that he was a well-behaved boy apparently, young man, and never involved in any civil rights incident or much less in any Peeping Tom activity. Under what circumstances did you pick up those two young men?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. POOL. Did you voluntarily make the statement to the Mississippi Highway Patrol that Mr. Appell read a moment ago, or was your statement made under any kind of duress or force or intimidation? This is your chance to speak up, if you want to, about that.

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. As I understand from the investigation, these Negroes' bodies were attached to a jeep engine and thrown into the river. In view of the oath that the Klansman takes, treason, rape, and malicious murder excepted, in your opinion would this be malicious order that would permit you to tell about the Klan activities?

Mr. EDWARDS. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused.

Mr. EDWARDS. Thank you, sir.

The CHAIRMAN. Call your next witness.

Mr. APPELL. James Ford Seale.

The CHAIRMAN. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help me God?

Mr. JAMES SEALE. I do.

TESTIMONY OF JAMES FORD SEALE, ACCOMPANIED BY COUNSEL, LESTER V. CHALMERS, JR.

Mr. APPELL. State your full name for the record, please.

Mr. JAMES SEALE. James Ford Seale.

Mr. APPELL. Are you appearing here today in accordance with a subpoena served upon you on October 30, 1965, by John D. Sullivan, investigator of this committee, at a UKA rally in Natchez, Mississippi, in Liberty Park?

Mr. JAMES SEALE. Yes, sir.

The CHAIRMAN. When was that?

Mr. APPELL. October 30, 1965.

Are you represented by counsel?

Mr. JAMES SEALE. Yes, sir.

Mr. APPELL. Will counsel please identify himself for the record?

Mr. CHALMERS. I am Lester V. Chalmers, Jr., attorney at law, Room 501, First Federal Building, Raleigh, North Carolina.

Mr. APPELL. Mr. Seale, when and where were you born?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question for the reason that I honestly feel my answer might tend to in-

criminate me in violation of my rights as guaranteed to me by the amendments 5, 1, and 4, and 14 of the Constitution of the United States of America.

Mr. APPELL. Mr. Seale—and let me ask you the proper spelling of your last name. Is it S-e-a-l-e?

Mr. CHALMERS. Yes, sir.

Mr. APPELL. Are you acquainted with the witness that just left the stand, Charles Marcus Edwards?

Mr. JAMES SEALE. I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, are you acquainted with the late Charles Moore and Henry Dee?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, on July 14, 1964, were you a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Are you presently a member of the United Klans of America, Knights of the Ku Klux Klan, and a member of the Realm of Mississippi, which also is known as the Mississippi Rescue Service?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, were you in the hearing room and did you hear me read to Charles Marcus Edwards a statement which he made about the bodies of—about you and he picking up Charles Moore and Henry Dee and taking them into a field to whip them?

Mr. JAMES SEALE. Sir, I respectfully—

The CHAIRMAN. Now, wait a minute.

Mr. Seale, were you in this hearing room when Mr. Charles Marcus Edwards testified?

Mr. CHALMERS. I will stipulate that he was, Mr. Chairman.

The CHAIRMAN. Now, you ask him if he heard the statement.

Mr. APPELL. Mr. Seale, did you hear the statement which I read to Mr. Edwards which was an admission on his part made to agents of the Mississippi Highway Patrol and Federal Bureau of Investigation on November 6, 1964?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Without repeating the whole thing, Mr. Seale, I will read you one paragraph of what I read previously so that you will clearly understand it.

Charles Marcus Edwards is the Edwards referred to herein by his last name.

“Edwards volunteered that he had to move from his former address to”——

The CHAIRMAN. Louder.

Mr. APPELL. I am sorry. [Continues reading:]

Edwards volunteered that he had to move from his former address to his present location several months ago because his wife was afraid of Negroes who parked in front of their home at night. He stated that Dee was one of these Negroes and that his wife had complained that she had seen Dee on one occasion “Peeping” at her. Edwards stated that at about this time he went with James Seale and

some others and picked up Dee and another Negro male at Meadville. He claimed the name and identity of this other Negro was unknown to him, stating that their intention was to whip the two men. Edwards stated they took the two men to some woods and whipped them and that the two Negroes were still alive when he left. He stated he did not know what happened to them and declined to identify the others present.

I ask you if the statement given to the Mississippi Highway Patrol by Charles Marcus Edwards is true?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Did Charles Marcus Edwards tell you that his wife had made that statement?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Did you and Mr. Edwards at the time discuss the so-called Peeping Tom incident?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Did Edwards at any time tell you that his wife had made that statement and that he believed it, or, on the other hand, did he tell you that that was to be the basis of your and his defense?

Mr. JAMES SEALE. Sir, I respectfully—

The CHAIRMAN. That he fabricated the story?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Seale, in picking up the boys, Moore and Dee, did you come upon them in a pickup truck and advise the two that you were deputy sheriffs and they were wanted for questioning?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Do you possess knowledge of what happened to Moore and Dee after they were whipped in this field as described by Mr. Edwards?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, I ask you if you in fact assisted in picking up Moore and Dee and taking them into the field and there assisted in whipping them?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Will you identify to the committee the others involved?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, after the torsos were found floating on the river, Navy divers discovered that the bodies apparently had been tied in chain, the chain hooked to the motor from a jeep, a motor block from a jeep. Do you possess any knowledge of this act happening?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Do you know Alton Alford?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. I read to you a paragraph from an investigative report :
"James Seale beat up a man"—

The CHAIRMAN. You are reading from what?

Mr. APPELL. A committee investigative report.

The CHAIRMAN. All right.

Mr. APPELL [reading:]

James Seale beat up a man named Alton Alford who lives between Bunkley and Meadville. Alford states he was taken out of his house and whipped. Later he tried to shoot Seale [with his shotgun] but his shotgun did not go off. Seale is supposed to have taken the shotgun and beaten Alford with it, putting him in the hospital.

Is that factual, Mr. Seale?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, have you recently signed an affidavit against Charles Snodgrass and Rex Armistead of the Mississippi Highway Patrol charging them with false arrest?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Is there a basis to your charge?

Mr. JAMES SEALE. I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Do you mean false arrest—

Mr. APPELL. These are officers of the Mississippi Highway Patrol. I do not know the circumstances. I was going to ask him what the circumstances were.

Mr. Seale, were you counseled to file this charge of false arrest against the two officers of the Mississippi Highway Safety Patrol by members of the United Klans of America, Knights of the Ku Klux Klan, the Realm of Mississippi?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Did you know a man by the name of Earl Hodges?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, the committee's investigation establishes that Mr. Earl Hodges had been a member of the Klan, had fallen out with a man by the name of Clyde Seale, and that on August 16, 1965, his body was found. The man was dead. It appeared that the man had been severely beaten and, in attempting to reach a place of water to wash off his wounds, he had died, not from the beating, but from a heart attack.

Did you participate in the beating of Earl Hodges?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. For all practical purposes, prior to his death, you were neighbors; is that a fact?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, I put it to you as a fact, and ask you to affirm or deny the fact, that at the time you took Moore and Dee into the field to whip them, that you were a member of the White Knights of the Ku Klux Klan?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. I put it to you as a fact, and ask you to affirm or deny the fact, the others in the group, including Charles Marcus Edwards, whose identities are unknown but that they, like yourself, were members of the White Knights of the Ku Klux Klan of Mississippi.

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, the United Klans of America in all of its literature and all of the speeches that are made about it and its membership relate to nonviolence. Do you believe this?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. APPELL. Mr. Seale, I put it to you as a fact, and ask you to affirm or deny the fact, that from prior to the time that Moore and Dee were picked up to take into the field to whip, continuously through today, you are a member of the Ku Klux Klan, first with the White Knights of the Ku Klux Klan and currently with the United Klans of America.

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. In connection with your becoming a member of the White Knights of the Ku Klux Klan and then of the United Klans of America, did anyone interview you to determine background, sobriety, Christianity, and your possible involvement in the Henry Dee and Charles Moore and Hodges matter?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Has any action been taken against you by either the White Knights of the Ku Klux Klan or the United Klans of America to expel you from either or both of those organizations?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Do you know Mr. Sam Bowers?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Did you ever attend a meeting when he spoke?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Do you know Mr. Robert Shelton?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Have you ever seen him?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Have you ever heard him speak?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. Have you ever attended a meeting of any Klan organization at any time in your life—

Mr. JAMES SEALE. Sir, I respectfully—

The CHAIRMAN. Wait a minute—at which meeting or meetings the alleged noble objectives of the Klans, including their alleged attach-

ment to democracy, to defense of country, and to Christianity, were discussed?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. SENNER. Is Clyde Seale your father?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. POOL. In fact, the beatings would not be carried out by the Klan if only one man were designated to do the job?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. POOL. Do they have their courage bolstered by going in greater numbers to do a job than the number of intended victims?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

Mr. POOL. They are very brave when they have a mob, when they have more people on their side than they are going to beat. Is that right?

Mr. JAMES SEALE. Sir, I respectfully decline to answer that question, based upon the grounds previously stated.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. APPELL. Clyde Seale.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear, sir, to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CLYDE SEALE. I do.

TESTIMONY OF CLYDE WAYNE SEALE, ACCOMPANIED BY COUNSEL, CHARLES J. MAY III AND TRAVIS BUCKLEY

Mr. APPELL. Mr. Seale, give your full name for the record.

Mr. CLYDE SEALE. Clyde Wayne Seale.

Mr. APPELL. Mr. Seale, you are here today in accordance with a subpoena served upon you on November 2, 1965, by J. D. Sullivan, a member of the investigative staff of this committee at Middle Ford Creek Bridge on Highway 84, west of Meadville?

Mr. CLYDE SEALE. Yes, sir.

Mr. APPELL. Mr. Seale, you are represented by counsel?

Mr. CLYDE SEALE. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Seale, when and where were you born?

Mr. CLYDE SEALE. I was born in Meadville, Mississippi, the 11th day of October 1901.

Mr. APPELL. Will you give the committee a brief résumé of your educational background?

Mr. CLYDE SEALE. I went to the ninth grade in a country school in Franklin County.

Mr. APPELL. Give the committee a brief résumé of your employment since 1960.

Mr. CLYDE SEALE. Farmer.

Mr. APPELL. Is that the only employment you have had since 1960?

Mr. CLYDE SEALE. Yes, sir.

Mr. APPELL. Mr. Seale, during the years 1964-65 were you the exalted cyclops of Franklin County Klavern of the White Knights of the Ku Klux Klan of Mississippi?

Mr. CLYDE SEALE. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, 4th, and 14th amendment to the Constitution of the United States of America.

Mr. APPELL. Mr. Seale, are you presently a member of the White Knights of the Ku Klux Klan of Mississippi?

Mr. CLYDE SEALE. Sir, for the reasons previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Chairman, in view of the witness' claimed privilege and his consistent refusal to answer the questions, I present to the committee the results of our investigation as they pertain to Mr. Seale.

In 1964 and '65 he was the exalted cyclops of Franklin County Klavern of the White Knights. In White Knights structure a Klavern can be and is broken into units depending upon the size of the Klavern membership. Clyde Seale was the exalted cyclops of Unit No. 2 covering the Meadville-Bunkley Community. In 1965 Clyde Seale was the province giant of Province No. 1, to which office he was elected on October 9, 1964, replacing Gerald Whitehead. On March 7, 1965, Clyde Seale attended a State meeting of the White Knights, where province officers made reports. He reported that a collection jar of the White Christian Protective and Legal Defense Fund had been placed in the Crossroads Grocery in Franklin County and, of \$12 in the jar, Negroes had put in half.

At an officers' meeting on June 27, 1964, held near Greenwood, Mississippi, Clyde Seale requested \$74 as reimbursement for expenses incurred.

On August 22, 1965, he attended an officers' meeting of the White Knights of the Ku Klux Klan of Mississippi at Florence, Mississippi. At one point of this meeting a jet flew over the area and Imperial Wizard Bowers ordered his men under trees because, he claimed, the FBI cameras could photograph a page of the Bible at 40,000 feet.

Mr. Chairman, this information indicates that Mr. Seale possesses additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Seale, you have heard the sworn statement of the committee's investigator. You now have the opportunity to reply to any portion of that statement you wish to, confirm or challenge the accuracy of the information, or to explain any part of that statement. And you may, if you desire, offer any matter the committee may deem relevant to this inquiry. Do you care to avail yourself of this offer?

Mr. CLYDE SEALE. No, sir.

The CHAIRMAN. I must then inform you, Mr. Seale, unless other facts may come to the attention of the committee, this committee will

rely on the accuracy of its investigation. Bearing this in mind, have you anything to say?

Mr. CLYDE SEALE. No, sir.

Mr. APPELL. Mr. Seale, do you possess any knowledge of Charles Moore and Henry Dee?

Mr. CLYDE SEALE. Sir, for the same reason I previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Seale, did you know Earl Hodges?

The CHAIRMAN. Wait a second.

Mr. Seale, do you know Charles Marcus Edwards?

Mr. CLYDE SEALE. Sir, for the reasons previously stated, I respectfully decline to answer this question.

The CHAIRMAN. Did Charles Marcus Edwards or his wife ever tell you that Henry Dee had been, in popular parlance, a Peeping Tom?

Mr. CLYDE SEALE. Sir, for the same reasons, I respectfully decline to answer this question.

The CHAIRMAN. Was the Henry Dee and Charles Moore incident every discussed with you by anyone?

Mr. CLYDE SEALE. Sir, for the same reasons I respectfully decline to answer this question.

The CHAIRMAN. Did that subject ever come up and was it discussed at any Klan meeting that you attended?

Mr. CLYDE SEALE. Sir, for the same reason stated, I respectfully decline to answer this question.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Seale, did you ever have an argument with Earl Hodges?

Mr. CLYDE SEALE. Sir, for the same reason stated, I respectfully decline to answer this question.

Mr. APPELL. Was Earl Hodges a member of the same Klavern of which you were the exalted cyclops during the time he was living, the last few days of his life?

Mr. CLYDE SEALE. Sir, for the same reason stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Seale, Hodges' body was found on August 16, 1965. It appeared that he had walked from the place where he had been beaten to a well, apparently in an effort to wash the blood off of himself, when he died. An examination of his body showed welts from the bottom of his feet to the top of his head. There was a hole in the top of his head. There was a split from the left side of his nose to his left eye which was deep enough so that you could see the roof of his mouth. Mr. Seale, do you know anything about this?

Mr. CLYDE SEALE. Sir, for the same reasons previously stated, I respectfully decline to answer this question.

Mr. APPELL. Are you a member of the White Knights of the Ku Klux Klan today?

Mr. CLYDE SEALE. Sir, for the same reasons previously stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Seale, on behalf of any Ku Klux Klan organization, have you been a member of a team which carried out an act of violence against any human being?

Mr. CLYDE SEALE. Sir, for the same reasons I stated, I respectfully decline to answer this question.

Mr. APPELL. Mr. Chairman, I have no further questions to ask this witness.

Mr. SENNER. Mr. Seale, I thought I would never hear a son ever take the fifth amendment in acknowledging his father. Are you the father of James Ford Seale?

Mr. CLYDE SEALE. Yes, sir.

Mr. SENNER. Mr. Seale, the chairman will probably rule me out of order, but are you a religious man?

Mr. CLYDE SEALE. Yes, sir.

Mr. SENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Mr. CLYDE SEALE. Thank you, Your Honor.

The CHAIRMAN. Call the next witness.

Mr. APPELL. Julius Harper.

The CHAIRMAN. Raise your right hand. Do you solemnly swear the testimony you are about to give, sir, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HARPER. I do.

TESTIMONY OF JULIUS HUNTER HARPER, ACCOMPANIED BY COUNSEL, CHARLES J. MAY III AND TRAVIS BUCKLEY

Mr. APPELL. Will you state your full name for the record?

Mr. HARPER. Julius Hunter Harper.

Mr. APPELL. Mr. Harper, are you appearing here today in accordance with the subpoena served upon you on December 1, 1965, by John D. Sullivan at 212 Highway 51, Crystal Springs, Mississippi?

Mr. HARPER. Yes, sir.

Mr. APPELL. Are you represented by counsel?

Mr. HARPER. Yes, sir.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. MAY. Charles J. May III, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Harper, when and where were you born?

Mr. HARPER. February 10, 1916, at Crystal Springs, Copiah County.

Mr. APPELL. Mr. Harper, would you give the committee a brief résumé of your educational background?

Mr. HARPER. I graduated from Crystal Springs High School in the scholastic year of 1934-35.

Mr. APPELL. Would you give the committee a brief résumé of your employment background from 1960?

Mr. HARPER. In 1960 I was working for the Mississippi Steel Corporation at Flowood, Mississippi, in the capacity of a maintenance electrician. In '62 I went in business at Crystal Springs, Mississippi, operating the J & F Grille, which is a restaurant.

The CHAIRMAN. Where?

Mr. HARPER. Crystal Springs.

Mr. APPELL. Have you had any sources of income other than the income which you received from the J &—did you say H or F?

Mr. HARPER. J & F.

Mr. APPELL. J & F diner or restaurant?

The CHAIRMAN. I think the name of the place is the J & F Cafe.

Mr. HARPER. Yes, sir. I have received compensation from my duties at the Mississippi Steel Corporation.

Mr. APPELL. And what were your duties and over what period of time did you receive such?

Mr. HARPER. That was from 1959 through 1962. Then I went in business for myself, sir.

Mr. APPELL. I probably—

The CHAIRMAN. Ask the question again.

Mr. APPELL. Other than the employment which you enumerated, have you had any sources of income since 1960?

Mr. HARPER. Sir, in conjunction with my cafe business, I own a farm on which I raise numerous things to help at the cafe with, such as cattle and other produce, and that would be a form of income.

Mr. APPELL. Have you received any other income from any other source?

Mr. HARPER. No, sir.

The CHAIRMAN. Did you receive any reimbursement of expenses incurred in any fashion in addition to your income as a worker, as a cafe operator, and from your farm?

Mr. HARPER. I do not recall having received any such income, sir.

The CHAIRMAN. All right. Proceed.

Mr. APPELL. Were you ever reimbursed for any expenses that you might have incurred in the form of travel or other expenses by an organization known as the White Knights of the Ku Klux Klan of Mississippi?

The CHAIRMAN. My question was broad enough to cover that. He can answer it.

Mr. HARPER. I have not received any income other than that that has already been mentioned, sir.

The CHAIRMAN. Let it go. That was not responsive. The question was, Did you ever receive any money as reimbursement for expenses? Did you?

Mr. HARPER. Not to the best of my knowledge, sir.

The CHAIRMAN. It seems you would have knowledge.

Mr. HARPER. I don't think there was. I don't recall.

Mr. POOL. Did you ever incur any expenses on behalf of the Klan organization in Mississippi?

Mr. HARPER. Sir, I respectfully decline to answer that question and invoke as defense the privileges guaranteed to me by the 5th, 1st, and 14th amendment to the Constitution of the United States of America.

Mr. POOL. Were you ever reimbursed for any expenses that you might have incurred on behalf of the Klan organizations of Mississippi?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer the question.

In response to the chairman's question a while ago, I can safely say "no."

Mr. POOL. But you took the fifth amendment on my questions?

Mr. HARPER. Yes, sir.

Mr. APPELL. Mr. Harper, the subpoena served upon you calls upon you to produce:

All books, records, documents, correspondence, and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi, and affiliated organizations, namely, the White Christian Protective and Legal Defense Fund and The Mississippi Constitutional Council, in your possession, custody or control, or maintained by you or available to you as the present or former Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in the subpoena I ask you to produce those documents.

Mr. HARPER. Sir, I could not produce such records that were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Did any record pertaining to Klan activities in the unit or Klavern to which you belonged come into your possession? And I mean *any* records, be they in the form of documents or checks or minutes, or originals or copies of applications for membership or membership lists, or any other kind of document or piece of paper having to do with your Klavern.

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer the question.

The CHAIRMAN. It is my information that you were the number two man of the whole State of Mississippi in the White Knights of the Ku Klux Klan of Mississippi. You mean to say that no such papers, resolutions, checks, application blanks, membership list, by name or numbers, ever came into your possession and never went through your hands.

Mr. HARPER. Repeat.

The CHAIRMAN. Never came into your possession or never went through your hands?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I should say that in your particular State of Mississippi, you are the Grand Dragon according to our information, but you are number two man by virtue of the fact that you have an Imperial Wizard there, whose name is or was Sam Bowers? Is Sam Bowers still Imperial Wizard?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Now I am going to ask you this question and, for the purpose of this question, I am going to assume that, through press releases, television, radio, you knew more or less about the Henry Dee and Charles Moore incident and that as Grand Dragon, through Klan sources, you in fact knew more than the normal individual, and I make that assumption because to do otherwise would simply violate common sense and would be completely incredible. Since the occurrence of the Henry Dee and Charles Moore incident, were any steps initiated to expel from membership of the White Knights of the Ku Klux Klan of Mississippi Charles Marcus Edwards and James Ford Seale or any other individual?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Go on.

Mr. APPELL. Mr. Harper, paragraph 2 of the subpoena calls upon you to produce:

All books, records, documents, correspondence, and memoranda in your possession, custody or control, or maintained by you or available to you, in your capacity as the present or past Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi, which the "Constitution and Laws" of said organization authorize and require to be maintained by you and any other officer of said organization, the same being in your possession, custody or control.

Mr. HARPER. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. APPELL. Mr. Harper, paragraph 3 of your subpoena calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120. "U.S. Corporation Income Tax Return," for the fiscal years 1961 through June 30, 1965, filed by you as Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in paragraph 3, I ask you to produce the documents called for.

(Witness confers with counsel.)

Mr. HARPER. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were not and are not in my possession, custody, or control and I did not and do not have access to such records.

Mr. APPELL. To your personal knowledge, were such returns filed?

Mr. HARPER. For the same reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. As the Grand Dragon of the White Knights of the Ku Klux Klan, how are finances handled within that organization?

Mr. HARPER. Sir, for the same reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Harper, I hand you a document, which is the constitution of the White Knights of the Ku Klux Klan of Mississippi, a temporary document, which was issued prior to the constitution issued on April 19, 1964.

I ask you if you are familiar with the constitution and the attachments to it.

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Document marked "Julius Harper Exhibit No. 1," and retained in committee files.)

Mr. APPELL. Mr. Harper, were you ever elected to the position of sheriff in the State of Mississippi?

Mr. HARPER. Yes, sir.

Mr. APPELL. During what years did you hold the office of sheriff?

Mr. HARPER. From January 4, 1948, through January 5, 1952.

The CHAIRMAN. What county?

Mr. HARPER. Copiah County, sir.

Mr. APPELL. As a law enforcement officer and based only on what you have read in the newspaper, would you as a sheriff tolerate the existence of a Ku Klux Klan organization within your jurisdiction?

(Witness confers with counsel.)

Mr. HARPER. Restate that question, sir.

Mr. APPELL. Read the question back to the witness.

(The question was read by the reporter.)

(Witness confers with counsel.)

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Harper, I show you a document, not identified as to the author, headed "Secrecy." As the Grand Dragon of the Knights of the Ku Klux Klan of Mississippi, did you ever see that document?

(Document handed to witness.)

Mr. APPELL. Or one containing the same text?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Document previously marked "Harold Delk Exhibit No. 1.")

Mr. APPELL. Mr. Harper, I hand you now documents entitled "Executive Lecture of March 1, 1964," "Imperial Executive Order," May 3, 1964, and ask you if these two documents were official documents of the White Knights of the Ku Klux Klan of Mississippi.

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Documents previously marked "Burrell White Exhibits Nos. 2 and 1," respectively.)

Mr. APPELL. I hand you a reproduction of a document entitled merely "Harrasment."

I ask you if this is a document published—if the original of that was the document published—by the White Knights of the Ku Klux Klan of Mississippi?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

(Document previously marked "James Jones Exhibit No. 34.")

Mr. APPELL. Mr. Harper, do you today hold the position of Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege with respect to questions relating to the White Knights of the Ku Klux Klan of Mississippi and to his office of Grand Dragon, I present to the committee the results of our investigation as they pertain to Mr. Harper.

Mr. Harper, until the end of at least 1965, was Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi and a member of a White Knights Klavern known under the cover name of the Copiah Rod and Gun Club, and located on Route 1 in Crystal Springs, Mississippi. On June 7, 1964, at a State meeting of the White Knights near Raleigh, Mississippi, Mr. Harper explained to members of the Klan assembled that they should avoid the violation of Federal law at all cost.

On June 24, 1964, at a meeting of the Hinds County Klavern, Mr. Harper told the assembled that for all future "jobs" (quote and end

quote), the province giant would select the unit to pull the "job." The county coordinator would then select the meeting place, such as a motel or restaurant, and the exalted cyclops of the unit selected would then select the members to actually pull the "job."

This was to be done in order to secure maximum security.

In July 1964, at a meeting of the Hinds County Klavern, Mr. Harper stated that he was taking the necessary steps to identify FBI informants in the White Knights of the Ku Klux Klan of Mississippi and they would be severely punished when they were exposed.

Harper was present at a State executive meeting on September—
The CHAIRMAN. State that again.

Mr. APPELL. Present at a State executive meeting on September 6, 1964, held at Crystal Springs, Mississippi.

On September 20, 1964, Harper was present at another State executive meeting, at which plans were discussed concerning bombing of churches, at which COFO workers were present.

At this meeting Imperial Wizard Bowers discussed a plan to start a mass campaign against the Federal Government, the theme of which would be that the Government is aiding the Communists by pushing the Negro vote campaign. This, it was hoped, would force ignorant people into committing acts of violence.

On September 27, 1964, at a State executive meeting at Meridian, Mississippi, Harper stated that there must be no more church bombings at this time as these were hurting the White Knights expansion program. He stated, however, that Klansmen should be prepared to follow orders of Klan officials and they should possess sufficient arms and ammunitions to accomplish any assigned mission.

On September 29, 1964, Harper discussed with other Klansmen the harassment of COFO workers at the Mennonite School for Wayward Girls.

On October 11, 1964, Harper was present at an executive meeting at the White Knights at Crystal Springs, Mississippi, at which the bombing of a COFO house in Vicksburg, Mississippi, was discussed by Imperial Wizard Bowers and former lecturer McGregor from Jackson, Mississippi.

In October 1964, Harper stated at a meeting of the White Knights that Klansmen having explosives should bury them for the present time for later possible use.

Harper was present at a province meeting in Hattiesburg, Mississippi, on November 5, 1964.

Harper was present at a State meeting near Harrisville, Mississippi, where a 90-day moratorium was declared for all third and fourth degree projects. And this meeting took place on November 15, 1964.

On February 20, 1965, Harper met with H. H. Herdeen, secretary-treasurer of the White Christian Protective and Legal Defense Fund.

Harper was reelected to the position of Grand Dragon at a State meeting on December 13, 1964, southwest of Brandon, Mississippi.

Harper was present at a meeting held about January 1 at Jackson, Mississippi—

The CHAIRMAN. January 1, what?

Mr. APPELL. The date is not here, Mr. Chairman, but it is 1965. At Jackson, Mississippi, where plans were discussed for the establishment of the White Christian Protective and Legal Defense Fund.

Harper was made, by Imperial Wizard Bowers, a member of the committee of the White Christian Protective and Legal Defense Fund.

At a meeting on March 6, 1965, at Terry, Mississippi, Harper mentioned that efforts were being made to set up the White Christian Protective and Legal Defense Fund as a nonprofit organization to avoid paying Federal income tax.

This information, Mr. Chairman, indicates that Mr. Harper possesses valuable information which is both pertinent and relevant to this inquiry and would materially aid the Congress in enacting remedial legislation.

The CHAIRMAN. Mr. Harper, Mr. Appell, as you know as a former law enforcement officer, is under oath, just as you are, under pains and penalties of perjury, and he has related these facts. You now have the opportunity to reply to any portion of that statement, to confirm or challenge the accuracy of the information, or to explain any part of the statement.

In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry. Do you care to avail yourself of this opportunity?

(Witness confers with counsel.)

Mr. HARPER. No, sir.

The CHAIRMAN. I just inform you, then, sir, that absent your rebuttal, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation.

Bearing this in mind, have you anything to say?

Mr. HARPER. No, sir.

The CHAIRMAN. Mr. Harper, there is something inconsistent in the positions that you have taken, as related by Mr. Appell. On the one hand, you stated that everyone had to be very careful not to violate the Federal law, and on the other hand, you said that your organization was seeking to find out who the undercover agents of the FBI were, and that if they were found, they would be severely dealt with. Are you blowing hot and cold?

(Witness confers with counsel.)

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I do not know the exact, or I do not pretend to quote the exact verbiage of Mr. Appell's statement in that regard, but there are certain passages in the statement which you as an intelligent man understood, I know, indicating that at one time or another you were advising the Klan to go deeper underground and be more careful about exposure for security reasons. Now it has come to me, and it is my information, that the actions, both of the FBI and these hearings, are hurting—

Mr. HARPER. Repeat, sir.

The CHAIRMAN. Are "hurting," and I use that word in quotations. Isn't that true?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Is it not a fact that these hearings have been the subject of considerable discussion at higher echelons of the Klans in Mississippi?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. All right. Is there anything else?

Mr. POOL. No questions.

Mr. SENNER. I have some. Mr. Harper, you testified that the reason you refused or failed to deliver the records, documents, and other papers called for in the subpoena was due to the fact that they were not in your possession or control. I take it that statement was from the time the subpoena was served on you to the present time when you are sitting in that chair; is that correct?

(Witness confers with counsel.)

Mr. HARPER. Repeat that, sir.

Mr. SENNER. Would you read it, Mr. Reporter?

(The question was read by the reporter.)

(Witness confers with counsel.)

Mr. HARPER. Yes, sir.

Mr. SENNER. All right, I will ask you this question:

Mr. Harper, as Grand Dragon, and with that subpoena served on you and the attachment calling for those documents, from the time of the service of that subpoena to the present time, do you know of the whereabouts of the documents that are to be kept by the Grand Dragon of the White Knights of the Ku Klux Klan of Mississippi?

Mr. HARPER. Sir, for reasons previously stated, I respectfully decline to answer the question.

Mr. SENNER. Did you have anything to do with destroying them?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. If they have not been destroyed and you do have knowledge of their whereabouts outside of your control and possession, could you have obtained those documents to comply with the subpoena and the attachment requesting those documents before this committee? I will restate the question.

Mr. HARPER, have the documents been destroyed?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Do you know where the documents are now?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. If you know where the documents are now, could you have obtained those documents from the date of the service of the subpoena upon you to the present time when you are sitting in that witness chair?

Mr. HARPER. Sir, for the reasons—sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. SENNER. And you responded that that was from the date of the service of the subpoena upon you until the recent time when you are sitting in the witness chair?

Mr. HARPER. Yes, sir.

Mr. SENNER. Then I asked you if you knew where the documents are from the date of the subpoena to the present time when you are sitting in that witness chair. What is your answer?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. I will ask you again, Mr. Harper, do you know where those documents are?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Did you have the documents called for by the subpoena prior to the date of service of the subpoena?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. From the time of the announcement of this investigation by the House Committee on Un-American Activities, did you at the date prior to the subpoena have the documents called for by the subpoena served upon you in your representative capacity as Grand Dragon of the White Knights of the Ku Klux Klan in Mississippi?

Mr. HARPER. Would you repeat the date included, the date, month and year?

Mr. SENNER. The date of the announcement of the investigation of this committee of the Ku Klu Klan was March 30, 1965.

Mr. HARPER. No, sir.

Mr. SENNER. When you say "no, sir," I take it that you did not from that time until the present time, when you are in the witness chair, have in your possession the documents and the records called for by the subpoena served upon you?

Mr. HARPER. Yes, sir.

Mr. SENNER. Mr. Harper, you are under oath.

Mr. HARPER. Yes, sir.

The CHAIRMAN. Mr. Harper, to be perfectly frank about it, we have information that there was discussion of destruction of certain documents after the commission of a certain act of violence, in general. Were you present at any time when a discussion of that kind was had?

Mr. HARPER. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. The witness is excused.

Call your final witness.

Mr. APPELL. Mr. Billy Buckles.

The CHAIRMAN. Please raise your right hand, sir.

Do you solemnly swear, sir, that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BUCKLES. I do.

TESTIMONY OF BILLY DOUGLAS BUCKLES, ACCOMPANIED BY COUNSEL, CHARLES G. BLACKWELL AND TRAVIS BUCKLEY

Mr. APPELL. Will you state your full name for the record?

Mr. BUCKLES. Billy Douglas Buckles.

Mr. APPELL. That is B-i-l-l-y?

Mr. BUCKLES. That is correct.

Mr. APPELL. Last name, B-u-c-k-l-e-s?

Mr. BUCKLES. That is correct.

Mr. APPELL. Are you appearing today, Mr. Buckles, in accordance with a subpoena served upon you by Investigator John D. Sullivan of

this committee on November 3, 1965, at the International Paper Company, Natchez, Mississippi?

Mr. BUCKLES. I am.

Mr. APPELL. Are you represented by counsel?

Mr. BUCKLES. I am.

Mr. APPELL. Will counsel identify themselves for the record?

Mr. BLACKWELL. Charles Blackwell, attorney at law, Laurel, Mississippi.

Mr. BUCKLEY. Travis Buckley, attorney at law, Bay Springs, Mississippi.

Mr. APPELL. Mr. Buckles, when and where were you born?

Mr. BUCKLES. I was born in the Providence Community of Franklin County, Mississippi, September 24, 1931.

Mr. APPELL. Give the committee a brief résumé of your educational background.

Mr. BUCKLES. I graduated from Meadville High School in April 1949.

Mr. APPELL. Give the committee a résumé of your employment background since 1949.

Mr. BUCKLES. I was employed by the General Geophysical Company of Houston, Tex., from September 1949 until January 1951. From January 1951 until August 1951, I was employed at International Paper Company.

From August 1951, I served 2 years in the United States Naval Reserve—2 years active duty—and returned to International Paper Company in Natchez, Mississippi, in September of 1953. I have been in the employment of the International Paper Company at their Natchez mill, Natchez, Mississippi, since that time, and to date.

Mr. APPELL. Since January 1, 1963, from what other sources have you received income?

The CHAIRMAN. If any.

(Witness confers with counsel.)

Mr. BUCKLES. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

Mr. APPELL. Mr. Buckles, under the conditions of the subpoena served upon you contained in an attachment which was made a part of the subpoena you are called upon in paragraph 1 to produce:

All books, records, documents, correspondence and memoranda relating to the organization of and the conduct of business and affairs of the White Knights of the Ku Klux Klan of Mississippi and affiliated organizations, namely, the White Christian Protective and Legal Defense Fund and the Mississippi Constitutional Council in your possession, custody or control or maintained by you or available to you as the present or Past Grand Giant of the White Knights of the Ku Klux Klan of Mississippi.

In the representative capacity set forth in paragraph 1, I ask you to produce the documents called for.

Mr. BUCKLES. Sir, I could not produce such records as ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

The CHAIRMAN. Mr. Buckles, do you realize that whether or not an order is made upon you to produce those documents by me, that if what

I say here is not true and we find it out, that you are subject to jury? I just want to know if you realize that?

Witness confers with counsel.)

The CHAIRMAN. And that applies to all previous witnesses.

Mr. POOL. And, Mr. Chairman, isn't the penalty for perjury a good deal stiffer than the penalties for contempt?

The CHAIRMAN. Yes.

Mr. BUCKLES. I realize that, sir.

Mr. APPELL. Mr. Buckles, paragraph 2 of the subpoena calls upon you to produce:

All books, records, documents, correspondence and memoranda in your possession, custody or control or maintained by or available to you, in your capacity as Grand Giant of the White Knights of the Ku Klux Klan, which the "Constitution and Laws" of said organization authorize and require to be maintained by and any other officer of said organization, the same being in your possession, custody or control.

Mr. BUCKLES. Sir, I could not produce such records as ordered by subpoena issued to me, due to the fact that such records were, and are not in my possession, custody, or control and I did not and do not have access to such records.

Mr. POOL. You said "were, and are, not." That means they have never been in your possession, as I understand that.

Witness confers with counsel.)

Mr. POOL. Do you want to stand on your statement?

Mr. BUCKLES. Yes, sir.

The CHAIRMAN. When you say "were not," are you trying to say were not now and were not since the date of service of the subpoena, or do you mean at any time?

Witness confers with counsel.)

Mr. BUCKLES. At the time I was subpoenaed, sir?

The CHAIRMAN. Were they ever in your possession?

Mr. BUCKLES. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Were those documents, to your knowledge, destroyed?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. POOL. Do you mean the fifth amendment or the other reasons?

Mr. BUCKLES. The reasons of the 5th, 1st, 4th, and 14th amendments to the Constitution of the United States of America.

The CHAIRMAN. Proceed.

Mr. APPELL. Mr. Buckles, paragraph 3 calls upon you to produce:

Copies of U.S. Treasury Department, Internal Revenue Service, Form 1120, "U.S. Corporation Income Tax Return," for the fiscal year 1961 through June 30, 1965, by you as Grand Giant.

In the representative capacity set forth in paragraph 3, I ask you to produce the documents.

Mr. BUCKLES. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are not in my possession, custody, and control and I did not and do not have access to such records.

Mr. APPELL. As the grand giant of the organization, do you know whether or not it has ever filed corporate tax returns?

Mr. BUCKLES. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Buckles, do you today hold the position of grand giant of the White Knights of the Ku Klux Klan of Mississippi?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Buckles, do you possess knowledge with respect to an organization known as the Mississippi Constitutional Council?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Where does the Mississippi Constitutional Council operate, and where does the White Knights of the Ku Klux Klan of Mississippi deposit money collected from its membership?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Buckles, what knowledge do you possess of violence carried out by members of the White Knights of the Ku Klux Klan of Mississippi?

Mr. BUCKLES. Sir, for the reasons previously stated. I respectfully decline to answer that question.

Mr. APPELL. Was an approach ever made to you as the grand giant of the organization by representatives of a Klavern of the White Knights seeking permission to carry out a job or project of that organization?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Buckles, the committee has sworn testimony under oath to the effect that within the organizational structure of the White Knights, as a part of a formal procedure there were certain classifications given to various acts of harassment or acts of intimidation or more serious acts. These were known in the terminology of the Klan as projects or jobs 1, 2, 3, or 4. Have you ever heard that discussion?

Mr. BUCKLES. Sir, for the reason previously stated, I respectfully decline to answer that question.

Mr. APPELL. The sworn testimony that we have from a former official of the White Knights of the Ku Klux Klan of Mississippi, the sworn testimony was that there is a project known as Project 1: threatening telephone calls or visits.

[Project] 2. Burning of a cross, usually on the property of an individual.

[Project] 3. Beating or flogging; burning of properties; wild shooting into property and bombings; and

Project 4. Extermination.

I ask you to affirm or deny this sworn testimony that we have with respect to the White Knights of the Ku Klux Klan of Mississippi.

(Witness confers with counsel.)

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. APPELL. Mr. Chairman, in view of the witness' claim of privilege and his refusal to answer questions, I present to the committee the results of our investigation as they pertain to Mr. Buckles:

Mr. Buckles was identified through investigation and sworn testimony as the grand giant of the White Knights of the Ku Klux Klan of Mississippi.

On June 9, 1964, Mr. Buckles, at a meeting of the Hinds County Klavern, stated that the White Knights was sponsoring an ex-convict to do a job in the Jackson, Mississippi, area, which would cost the Klan \$1,200; \$400 payable in advance and \$800 upon completion. Buckles described the job as one "that would make the murder of Medgar Evers look sick."

A sum of \$100 was collected at this meeting toward the payment of the \$1,200.

Buckles was present at a meeting of the Hinds County Klavern on June 24, 1964, at which A. C. Herrington was introduced as the Klan kleagle, or organizer. Also discussed at this meeting was Klan organization and structure, security, and the performance of acts of violence.

On September 6, 1964, at a State executive meeting held in Crystal Springs, Mississippi, Buckles stated that a group of Jackson Klansmen had asked him to get permission from the State to eliminate Hazel Brannan Smith, a newspaperwoman in Jackson, Mississippi. A stick of dynamite was thrown into the office of Hazel Brannan Smith, who publishes a newspaper, the *Northside Reporter*, on August 27.

Buckles was present at a State executive meeting held on September 14, 1964, in the office of Norman Jackson in Crystal Springs, Mississippi.

At a meeting on September 20, 1964, Buckles supported a motion made by A. C. Herrington that church bombings be restricted to those churches at which COFO workers are present.

At a meeting held on January 1, 1965, at the Heidelberg Hotel in Jackson, Mississippi, Buckles was present. At this meeting the establishment and objectives of the White Christian Protective and Legal Defense Fund were discussed by Bowers and other high ranking officers of the White Knights of the Ku Klux Klan of Mississippi.

At a meeting of the Hinds County Klavern held on June 24, 1964, at Jackson, Mississippi, Buckles, the grand giant, stated that there were to be no more bombings of any type by the Klan in Mississippi as these bombings drew attention to the Klan too rapidly.

Buckles said that there are other ways to handle things and, no matter what they tell you, arson is hard to prove. Buckles suggested that all members purchase firearms and ammunition and said that Klansmen should not pay excessive prices for this material as he—Buckles—could obtain rifles for \$15 each, which included three clips of ammunition.

Buckles commented that the outside agitators must be stopped, even if it takes a few busted heads and, if necessary, the Klan would go further than this to stop these agitators.

Buckles said that when the Klansmen locate meeting places of Negroes, such as Negro churches, they should throw carpet tacks on the parking lot and disable—

The CHAIRMAN. They should what?

Mr. APPELL. They should throw carpet tacks on the parking lot and disable the assembled cars by cutting ignition wires.

Buckles suggested that gasoline operators who were members should have a good supply of sugar to pour into the tanks of cars belonging to integrationists.

Buckles said he assumed that all of the members present had read of the disappearance of the three civil rights workers in Neshoba County and said, "Now, they know what we will do. We have shown them what we will do and we will do it again if necessary."

Buckles was present at a State meeting near Raleigh, Mississippi, at which a resolution was passed to blow up the Laurel newspaper. *Leader-Call*: a short time after this meeting an explosion took place at the newspaper offices.

Buckles is known to have made reports of the financial conditions of several units of the White Knights of the Ku Klux Klan of Mississippi. At a meeting on May 2, 1965, Buckles reported at a State meeting in Pearl River County that Julius Harper received \$400 and the Greenwood Unit had \$1,000.

Buckles was present at a State meeting on June 27, 1965, near Greenwood, Mississippi, at which Devours Nix was elected to replace Ernest Gilbert as head of the State KBI.

On August 22, 1965, at a meeting near Florence, Mississippi, Buckles requested that \$500 be sent to Greenwood, Mississippi, for the men arrested for arson.

On August 8, 1965, Sam Bowers offered a resolution at a State meeting held near Byram, Mississippi, to the effect that the White Knights were forbidden to associate with the members of the UKA. Buckles spoke in opposition to this resolution.

Buckles was present at a State meeting held on May 2, 1965, at Poplarville, Mississippi, along with Sam Bowers.

On October 31, 1965, at a State meeting held in a rural area near Harrisville, Buckles announced his resignation as a State officer and said he would devote full time to operating the newspaper the *Southern Review*.

This information, Mr. Chairman, indicates Mr. Buckles possesses much additional information which is both pertinent and relevant to this inquiry and would materially aid the Congress in the enactment of remedial legislation.

The CHAIRMAN. Mr. Buckles, you have heard the sworn statement of the committee's investigator.

You now have the opportunity to reply to any portion of that statement, confirm or challenge the accuracy of the information, or to explain any part of that statement.

In addition, you may, if you desire, offer any other matter the committee may deem relevant to this inquiry.

Do you care to avail yourself of this opportunity?

Mr. BUCKLES. No, sir.

The CHAIRMAN. In that case, Mr. Buckles, I must inform you that absent any rebuttal on your part, or other facts that may come to the attention of the committee, this committee will rely upon the accuracy of its investigation. Bearing this in mind, have you anything to say?

Mr. BUCKLES. No, sir.

Mr. SENNER. In view of the fact you answered several questions propounded either by the chairman or Congressman Pool, that you have

never had records in your possession, how could you give a financial report in either May or June of 1965?

Mr. BUCKLES. Sir, for reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Was your statement to Congressman Joe Pool truthful and honest in all respects?

Mr. BUCKLES. I respectfully submit the explanation that I did not make such statement.

Mr. SENNER. In response to Congressman Pool's question—using the words from the statement you read here, and the record will speak for itself—you said that you did not now have—would you read your statement, please, in the refusal of the documents, that you do not now have?

Mr. BUCKLES. Sir, I could not produce such records as were ordered by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. SENNER. And in response to Congressman Pool's question when you used the word "were" that meant you never had them, and you responded "yes." How did you respond?

Mr. BUCKLES. I said "no, sir."

Mr. POOL. You never had the records, I suppose. I don't know what you mean.

Mr. BUCKLES. Could I please have Congressman Pool's question read back over to me, sir?

Mr. SENNER. Congressman Pool, would you state your question again?

Mr. POOL. I asked you, after you read your answer, if the use of the word "were" meant in the past tense, that you had never had the records in your possession, and you said "no."

The CHAIRMAN. And in answer to my question, it is my recollection that you said that by referring to the past tense you were indicating that you did not have the records now and they were not in your possession, meaning before and after the date of the subpoena. Was that your response to my question?

Mr. BUCKLES. That is correct, sir.

Mr. POOL. Then why can't you answer Congressman Senner's question?

Mr. BUCKLES. Possibly I misunderstood your question, sir. Would you repeat it, please?

Mr. SENNER. Did you have those records prior to the subpoena, when it was served upon you, at any time in your representative capacity as called for in the subpoena?

Mr. BUCKLES. Sir, I respectfully decline to answer that question and invoke as a defense the privileges guaranteed to me by the 5th, 1st, and 4th amendment to the Constitution of the United States of America.

Mr. SENNER. Did you destroy these records? That is my question. Did you destroy those records?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Did you conceal those records?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Did you burn and/or conceal those records to impede or prevent that information from coming before this House of Congress in this committee?

Mr. BUCKLEY. May I have the question read back?

(The question was read by the reporter.)

Mr. BUCKLES. Sir, I have never done anything to impede any information from coming—

Mr. SENNER. Answer my question and don't tell me about impeding.

Mr. BUCKLES. Sir, I have never done anything to impede any records from coming before this committee.

Mr. SENNER. Did you burn or destroy any records called for by that subpoena in your official capacity? Yes or no.

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Did you burn—when I use the word “burn” I mean in any way destroy—and/or conceal those records at any time since May 30, 1965?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. POOL. May I interrupt you right here a second?

Mr. SENNER. Yes.

Mr. POOL. Perjury is a very serious offense, and in view of your answer to my question earlier, I am going to ask you one further question to kind of give you a chance to straighten it out if you want to. When was the last time you saw any of the records of this organization?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. In response to Congressman Pool's question, when he asked you were those records ever in your possession, you answered “No.” Is that a correct summation of Mr. Pool's question to you and your response to him?

Mr. BUCKLES. No, sir, that is not correct.

Mr. SENNER. Would you please correct it for the record?

Mr. BUCKLES. Sir, I could not produce such records as were requested by the subpoena issued to me, due to the fact that such records were, and are, not in my possession, custody, or control and I did not and do not have access to such records.

Mr. SENNER. Were such records in your possession or control or access since March 30, 1965?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Do you know where those records are?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Are those records now in existence?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. I have one or two questions on this. I have a clear recollection—and correct me if I am wrong—that in one of those preliminary questions asked of you, you said that as of now, today.

you were employed by the International Paper Company. Is that your testimony?

Mr. BUCKLES. I stated that I was employed by International Paper Company to date. I assume that I am still in the employ of the International Paper Company.

The CHAIRMAN. I am not talking about any possible dismissals, nor am I suggesting anything. So far as you know, you are today employed by the International Paper Company?

Mr. BUCKLES. Yes, sir.

The CHAIRMAN. And how long have you been so employed, approximately?

Mr. BUCKLES. Since either the last of January 1951 or in early February 1951.

The CHAIRMAN. Mr. Appell, in his statement, said that on October 31, 1965, you said something to the effect that you were resigning in whatever official capacity you had then in order to be employed full time by the *Southern Review*, and in order to dispel any thought in your mind about it, I am not questioning you as a newspaperman or asking whether you now are or ever were one or ever will be. Is that a fact that you made that statement?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you tell the truth that you were going to, from then on, be employed by the *Southern Review*?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Have you been employed by the *Southern Review* in order to carry out Klan activities—that is what I am talking about—at any time since October 31, 1965?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you, in order to carry out the objectives and purposes and programs and to propagandize the activities of the Klan, contribute any articles to the *Southern Review*?

Mr. BUCKLES. For the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know Mr. Greaves who testified yesterday?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know him, not as an editor of the *Southern Review*, or as a newspaperman, but as a man, as a person?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Do you know him as a Klansman?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

The CHAIRMAN. Did you ever attend any Klan meetings with him?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. Mr. Buckles, would you be kind enough to tell the committee how you were able to give a financial report on May 2, Pearl River County, if you had no records?

Mr. BUCKLES. Sir, for the reasons previously stated, I respectfully decline to answer that question.

Mr. SENNER. I expected that answer.

The CHAIRMAN. The witness is excused, and the committee will stand in recess until 10 a.m. next Tuesday.

(Members present: Representatives Willis. Pool, and Buchanan of the subcommittee and also Representative Senner.)

(Whereupon, at 6 p.m., Friday, January 14, 1966, the subcommittee recessed, to reconvene at 10 a.m., Tuesday, January 18, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

TUESDAY, JANUARY 18, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:25 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and John H. Buchanan, Jr., of Alabama.)

Subcommittee members present: Representatives Willis, Pool, and Buchanan.

Committee member also present: Representative George F. Senner, Jr., of Arizona.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

Are you ready, Mr. Appell? If so, call your first witness.

Mr. APPELL. Mr. Chairman, I would like to call Billy Wilson.

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILSON. I do.

TESTIMONY OF BILLY WILSON

Mr. APPELL. Mr. Wilson, will you state your full name for the record?

Mr. WILSON. Billy Wilson.

Mr. APPELL. Are you appearing here in accordance with a subpoena served upon you by Investigator John D. Sullivan of this staff on September 8, 1965?

Mr. WILSON. Yes, sir; I am.

Mr. APPELL. Mr. Wilson, when and where were you born?

Mr. WILSON. I was born in McComb, Mississippi, 1942. April 22.

Mr. APPELL. April 22. Mr. Wilson, it is evident that you are not represented by counsel before the committee this morning. Do you desire counsel?

Mr. WILSON. No, sir.

The CHAIRMAN. Mr. Wilson, I am glad you are appearing. Do you understand—and this I ask you in accordance with regular practice—do you understand that although you do not have a lawyer, and if you desire to, you could invoke the fifth amendment, if you would want to?

Mr. WILSON. Yes, sir.

The CHAIRMAN. All right. Proceed.

Mr. APPELL. Mr. Wilson, what is your educational background?

Mr. WILSON. High school equivalent.

Mr. APPELL. Where did you receive your high school equivalent?

Mr. WILSON. In the United States Army.

Mr. APPELL. What period of time did you serve in the United States Army?

Mr. WILSON. I entered the Army May 5, 1959, and was released from active duty May 7, 1962.

Mr. APPELL. Mr. Wilson, are you now, or have you ever been, a member of a Ku Klux Klan organization?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Well, now, you had better split that question. I don't know whether he is saying yes to which one.

Mr. WILSON. Yes, sir; I was.

The CHAIRMAN. Yes, sir; you were.

Mr. WILSON. Yes, sir.

The CHAIRMAN. Are you now a member?

Mr. WILSON. No, sir.

Mr. APPELL. When and where—

The CHAIRMAN. You develop that further.

Mr. APPELL. When and where did you join a Ku Klux Klan organization?

Mr. WILSON. In McComb, Mississippi, on July 7, 1964.

Mr. APPELL. What Klan organization did you join?

Mr. WILSON. Well, the name I don't really know. All I knew was by Ray Smith's group.

Mr. APPELL. What was the—well, let me show you a copy of an application for membership in the United Klans of America, Inc. (Richard Constantineau Exhibit No. 3), and ask you if the application, copy which I hand you, is similar to an application you executed at the time you became a member of a Ku Klux Klan organization.

(Document handed to witness.)

Mr. WILSON. This is the one.

Mr. APPELL. Did you know prior to today that the parent organization—and I am not speaking about the Klavern—was a Klavern of the United Klans of America?

Mr. WILSON. Yes, sir.

Mr. APPELL. You knew that. Explain to the committee the steps which you took in order to join this Klavern of the United Klans of America.

Mr. WILSON. In the month of May, I would say, of 1964, I was asked by another member of the Klan, which at this time I didn't know that he was a member—he asked me would I like to be a member of the Klan, and I told him that I didn't know, that I would have to give it some thought.

I thought about it for about 2 months, and in the month of July of 1964 I told him that I was interested in it, and he said that he thought that he might be able to arrange it.

Mr. APPELL. What procedure, to your knowledge, did Billy Ainsworth follow in arranging for you to join the United Klans of America?

The CHAIRMAN. You haven't established—

(Discussion off the record.)

The CHAIRMAN. Repeat the question.

Mr. APPELL. Yes. What procedure did Billy Ainsworth follow in having you join this Klavern of the United Klans of America?

Mr. WILSON. Well, sir, he met me at my home on the night of July 7, 1964, and from there we went uptown in McComb to one building called the Hinton Building, and there we went upstairs.

The CHAIRMAN. How do you spell that?

Mr. WILSON. H-i-n-t-o-n.

The CHAIRMAN. H-i-n-t-o-n.

Mr. WILSON. Right.

Mr. APPELL. When you got upstairs, you went to a room up there. Do you know the identity of the—

Mr. WILSON. I don't know the name of the room. You might say it would be an anteroom, or some name to that effect.

Mr. APPELL. What happened when you arrived there?

Mr. WILSON. Well, sir, there were about, I would say, five or six new members that night wanting into the Klan, and—

Mr. APPELL. What happened after you got in? Did someone explain to you the principles of the Klan?

Mr. WILSON. Yes, sir; we were indoctrinated, to an extent, and from there we were administered some oaths there.

Mr. APPELL. Before we get to the oaths, prior to accompanying Billy Ainsworth to this room in the Hinton Building, had you executed this application for membership, a copy of which I showed you?

Mr. WILSON. No, sir; that was done in the anteroom.

Mr. APPELL. Was this application given to you prior to the indoctrination, or after the indoctrination were you asked and others asked whether or not they desired to join?

Mr. WILSON. I believe, sir, that that was done after—well, let me see now. Indoctrination was given. After that, it was asked if there was anyone whose mind was not made up, if they wanted to leave, that would be all right. As I recall that night, I believe there was one that left. After that, then we signed this application.

Mr. APPELL. Other than Billy Ainsworth that accompanied you, did you know the identity of any of the other people that were in this same room with you?

Mr. WILSON. No, sir; I didn't.

Mr. APPELL. Did you know at that time the identity of the person that was indoctrinating you into the principles of the Klan?

Mr. WILSON. Yes, sir. Mr. Paul Wilson.

Mr. APPELL. Did you know him at that time, or did you learn his identity later?

Mr. WILSON. I knew him at that time.

Mr. APPELL. You knew him at that time.

The CHAIRMAN. Let me ask a question.

When you say "then we signed this application," you mean you signed an application similar to the one that was handed you? That's not actually the one you signed.

Mr. WILSON. That is right.

Mr. APPELL. Then after you were given the opportunity of leaving or remaining, as I understand your testimony, you executed the application, a copy of which or the form of which I showed you.

Mr. WILSON. That is right.

Mr. APPELL. After you executed the form of application, what happened to that application?

Mr. WILSON. Well, sir, after the oaths were administered in the anteroom, we went into the large—what do you call it now?—meeting hall, I guess, and there we were administered one more oath and sworn into the Klan. After that, the applications that we had made out were—they had let us have them back, and there they were burnt.

Mr. APPELL. So that after taking the final series of oaths in the main meeting chamber, each of you had the application which you executed returned to you and thereafter each of you destroyed it.

Mr. WILSON. That is right.

Mr. APPELL. I show you a series of oaths. I ask you to look them over and to advise the committee whether the Section I, Obedience, Section II, Secrecy, Section III, Fidelity, were the oaths administered to you in this small room, and whether or not Section IV, the oath Klanishness, was administered to you after you were admitted to the main chamber.

(Documents handed to witness.)

Mr. WILSON. I would say this was a copy.

(Document previously marked "Robert Shelton Exhibit No. 4.")

Mr. APPELL. After you destroyed your application for membership, how were you known within the Klavern as a member of that Klavern?

Mr. WILSON. We were known by a number.

Mr. APPELL. What number was assigned to you?

Mr. WILSON. Number 98.

Mr. APPELL. Does that mean, Mr. Wilson, that you were the 98th member recruited into that Klavern?

Mr. WILSON. I would think so; yes, sir.

Mr. APPELL. Was the Klavern to which you were assigned known technically within the Realm of Mississippi of the United Klans of America as Klavern No. 700?

Mr. WILSON. I really couldn't say.

Mr. APPELL. Who was the exalted cyclops of the Klavern to which you were assigned?

Mr. WILSON. Mr. Ray Smith.

Mr. APPELL. Is Ray Smith a man who is employed by the telephone company in McComb?

Mr. WILSON. Yes, sir.

Mr. APPELL. Can you recall the identity of other officers of the Klavern, the Ray Smith Klavern, as we shall call it, to which you were assigned as a member?

Mr. WILSON. Well, sir, as I said, Mr. Ray Smith was the EC. I believe that Mr. Paul Wilson was the vice president, you might say. I don't know what the name is.

Mr. APPELL. In Klankraft, that is the klaliff.

Mr. WILSON. I am not very familiar with the name.

Mr. APPELL. All right, sir.

Mr. WILSON. Reverend J. C. Brown would be, now, the kludd?

Mr. APPELL. The kludd.

Mr. WILSON. I believe the minister. The chaplain. Murphy Duncan was the treasurer.

Mr. APPELL. Let me interrupt you there. Did you subsequently learn that Murphy Duncan was elected to the position of grand klabee or State treasurer of the United Klans of America in Mississippi?

Mr. WILSON. Later on, I did; yes, sir.

Mr. APPELL. Now, I interrupted you, and you had named the exalted cyclops, the klaliff or vice president, the klabee or treasurer. Who acted as the secretary?

Mr. WILSON. Ernest Zeeck.

Mr. APPELL. And that is Z-e-e-c-k?

Mr. WILSON. I believe that is correct.

Mr. APPELL. Can you recall any other officers?

Mr. WILSON. No, sir; I don't believe.

Mr. APPELL. Now, how large in membership was the Klavern, to your knowledge?

Mr. WILSON. Well, sir, to my knowledge, there again, being that my number was 98, I would say it would be well over 100 members.

Mr. APPELL. During the course of this membership, did you leave the Ray Smith Klavern and join another Klavern?

Mr. WILSON. Yes, sir. On August 11, 1964, Mr. Paul Wilson made the announcement to Mr. Ray Smith at a weekly meeting there, stating for reason, I believe, that this Klavern was a little large and there should be another one formed, and he read off a list of, I believe, seven names that would be leaving there, and we left.

Mr. APPELL. You left for the purpose of forming an additional Klavern of the United Klans of America?

Mr. WILSON. Yes, sir.

Mr. APPELL. Now, whose names did Mr. Paul Wilson call off to leave Klavern 700 for the purpose of forming this new Klavern?

Mr. WILSON. Well, sir, he read off and named another Wilson name, James Wilson, myself, Gerald Lawrence, Hilton Dunaway—

Mr. APPELL. Is that D-u-n-a-w-a-y?

Mr. WILSON. Yes, sir; I believe that is correct. Mr. Gillis, "Bubba" Gillis.

Mr. APPELL. That is Sterling Gillis, who goes by the nickname of "Bubba"?

Mr. WILSON. Yes.

Mr. APPELL. G-i-l-l-i-s?

Mr. WILSON. That is right. And Al Lee.

The CHAIRMAN. Now, as I understand, you are not related to the two other Wilsons you named; are you?

Mr. WILSON. Yes, sir; to one.

The CHAIRMAN. You are related to one?

Mr. WILSON. Yes, sir.

The CHAIRMAN. To which one, and how related? Not that we are interested in relationship; we want identity.

Mr. WILSON. Paul Wilson is my first cousin, I think.

The CHAIRMAN. And you are not related to the other Wilson? What is his name?

Mr. WILSON. No, sir; I am not related to James.

The CHAIRMAN. James.

Mr. WILSON. Right.

Mr. APPELL. Who became the temporary officers of this new Klavern?

Mr. WILSON. Paul Wilson was the elected or the temporary EC. I think that Al Lee was elected the temporary secretary, James Wilson was elected temporary treasurer. However, the next week, Mr. Murphy Duncan met with us, and he assumed these duties.

Mr. POOL. Of treasurer?

Mr. WILSON. Right; yes, sir.

Mr. APPELL. Now, did you, as long as you remained a member of the United Klans of America, continue membership in this second group, which we will call the Paul Wilson group?

Mr. WILSON. I am sorry. Would you—

Mr. APPELL. I say, as long as you continued your Klan membership, did you remain a member of the Paul Wilson Klavern, as we shall call the second group?

Mr. WILSON. Yes, sir.

Mr. APPELL. Now, Mr. Wilson, is it a fact that in October 1964 you were arrested, charged with three counts of illegal use of explosives, violation of Mississippi statutes, and one count of conspiracy in the illegal use of explosives?

Did you on October 23 plead guilty to the three counts of illegal use of explosives, and nolo contendere to the conspiracy charge, and did you receive a 5 years' sentence on each of the three counts of illegal use of explosives and 6 months plus \$500 fine on the conspiracy charge?

Mr. WILSON. That is right.

Mr. APPELL. As far as the sentences, the three 5-year terms to run concurrently and the 6 months under the conspiracy, were these sentences suspended?

Mr. WILSON. That is true.

Mr. APPELL. Were the sentences suspended under the condition that not only must you and the others so convicted not engage in any acts of violence in the future, but that if any acts of violence in the community were engaged in, that your conditions would be automatically forfeited?

Mr. WILSON. That is right.

The CHAIRMAN. And you are now under very heavy probationary conditions, are you not?

Mr. WILSON. That is right ; yes, sir.

The CHAIRMAN. And you are respecting them ?

Mr. WILSON. Yes, sir.

Mr. APPELL. Mr. Wilson, did any of the acts which resulted in your arrest and conviction grow out of your membership in the United Klans of America, Inc. ?

Mr. WILSON. Yes, sir.

Mr. APPELL. Did all of them grow out of your membership in the United Klans of America, Inc. ?

Mr. WILSON. Yes, sir.

Mr. APPELL. Mr. Wilson, the first offense involved you in the bombing of a residence of a man by the name of Charles Bryant. Would you, in your own words, tell the committee how you became involved in this act of bombing ?

Mr. POOL. What was the man's name ?

Mr. APPELL. Charles Bryant, B-r-y-a-n-t.

Mr. WILSON. Well, sir, as I have stated, on the night of July 7, 1964, I was sworn in as a member of this organization, and on the night of July 26, my wife and I and my little boy was over at this other guy's house, and about 8 p.m., I would say, somebody wanted me on the phone.

I didn't know at that time who it was, so I answered, and it was Mr. Wilson.

Mr. APPELL. Which Mr. Wilson ?

Mr. WILSON. Paul Wilson. And he said in so many words that there was something that night that needed doing, and would I like to help, and I told him that I would.

He told me that he would meet me at my home at approximately 12 midnight. At 12:30 that night, or the early morning, he drove up there to my house there, and I got in his automobile, and we drove to the home of Mr. Hilton Dunaway, and Mr. Lawrence was also there.

Mr. APPELL. Mr. Lawrence. Is that Mr. Gerald Lawrence ?

Mr. WILSON. Yes, sir.

From there we drove out of McComb, on the road known as the S-Curve Road, for, oh, a distance of 3 miles, I would say, maybe 4. There is a road that led off to the right, way back down in the woods. We went down there, and there was another automobile there, a black car, a Plymouth, about a '49 model, I would say.

We loaded up in this car and drove to the home of Mr. Byrant.

Mr. APPELL. Now as you left in the '49 Plymouth, who was driving the vehicle ?

Mr. WILSON. Mr. Lawrence. Gerald Lawrence.

Mr. APPELL. Who was riding on the front seat with him ?

Mr. WILSON. Mr. Dunaway.

Mr. APPELL. And that leaves you and Paul Wilson riding in the rear, on the rear seat of the automobile ?

Mr. WILSON. Yes, sir, Paul was riding in the left side in the rear, and I was on the right side.

Mr. APPELL. Paul was behind the driver, and you were behind the passenger in the front ?

Mr. WILSON. Right.

Mr. APPELL. Will you proceed ?

Mr. WILSON. As I say, we drove to the home of Mr. Bryant, and we stopped the car. And there was another car, they were up the road from us, meeting us, and so we immediately left there, and we made—

The CHAIRMAN. I am sorry. I don't want to interfere, but I want to identify. Was Mr. Bryant a white man, or a Negro man?

Mr. WILSON. No, sir, he was not white.

We made the block. We drove back up there by his house, and we stopped the car. Mr. Dunaway got out of the car, lit the fuse—I don't know if Mr. Dunaway lit the fuse or who, but it was lit—stepped to the rear of the car on the righthand side, and over in the yard it went.

Mr. APPELL. Over in the yard what went?

Mr. WILSON. The bomb went, or the dynamite.

Mr. APPELL. And what was the composition of this bomb?

Mr. WILSON. Well, sir, I would say that it consisted of about three sticks of dynamite.

The CHAIRMAN. About how long?

Mr. WILSON. I would say they were about 1 foot long and about 1 inch around in diameter.

Mr. APPELL. Now in making one of these bombs, you take the sticks of dynamite, tie them together with masking tape as a general rule, and then cap and fuse the middle stick?

Mr. WILSON. All the ones that I saw were wrapped up in this white tape, yes, sir, the masking tape. However, how they were made, or—I don't know.

Mr. APPELL. You never participated in the manufacturing of a bomb?

Mr. WILSON. No, sir.

Mr. APPELL. At the time—

The CHAIRMAN. Let me see now. Those three sticks of dynamite, about an inch around and a foot long, were taped together?

Mr. WILSON. Yes, sir.

The CHAIRMAN. All right.

Mr. APPELL. Do you know the amount of time you had to get away from the time you threw it until the time it detonated?

Mr. WILSON. On that night that you mentioned?

Mr. APPELL. Yes.

Mr. WILSON. No, sir. However, no noise was heard. I never did hear it.

Mr. APPELL. You never heard one. You were out of hearing distance?

Mr. WILSON. Yes, sir.

Mr. APPELL. Before it went off?

The CHAIRMAN. You mean you drove off hurriedly?

Mr. WILSON. Yes, sir.

Mr. APPELL. Now were you observed, and did anyone fire upon you at that time?

Mr. WILSON. Yes, sir; just about the time that Hilton Dunaway was about halfway in the car, somebody shot at us there, from the house, and Paul Wilson, as I say, was sitting on the lefthand side in the rear, and he had a 16 over-and-under shotgun, and he returned the fire, and very hurriedly we left the scene.

The CHAIRMAN. Well, at this point, since he mentioned one piece of firing equipment, did you have any other guns, rifles, pistols, in the car?

Mr. WILSON. None that I know of.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Wilson, the newspaper accounts of the damage to the fact that a bomb exploded in the yard of Charles Bryant identified him as the brother of Curtis Bryant, who was the leader of the AACP in the community. Did you know that at that time?

Mr. WILSON. Yes, sir.

Mr. APPELL. The newspaper accounts further stated that the first time you drove up to the house a bomb was thrown which did not detonate; that you later turned around, as you described it, and a second bomb was thrown which did explode in the yard of the Bryant residence. Did your group toss more than the bomb that you have testified to?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Wilson, what did you do after driving away from the Bryant residence?

Mr. WILSON. Well, sir, as I said, we left in rather a——

The CHAIRMAN. A hurry.

Mr. WILSON. A hurry. We returned back to the woods there, where we had——

Mr. APPELL. Left Wilson's car?

Mr. WILSON. Yes, sir; we went back to the woods, left this other car there, and got back in Mr. Wilson's car. We returned to the home of Hilton Dunaway, let him out, and returned to the home of Mr. Lawrence there, we let him out. Paul then drove me to my home, let me out, and from there he returned home.

Mr. APPELL. Did you ever learn the identity of the person that owned the '49 Plymouth that you used, that you found in the woods?

Mr. WILSON. No, sir.

Mr. APPELL. Did Paul Wilson——

The CHAIRMAN. Let me ask you—because I missed it—when you got to the place where the Plymouth, about a 1949 model, was, was there anyone in the Plymouth, or was it there by itself?

Mr. WILSON. It was there alone.

The CHAIRMAN. I see. And you don't know who drove it there, or how it happened to be there?

Mr. WILSON. No, sir.

Mr. POOL. Did you get the license number? Do you know what the license number was, or what State it was?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Wilson, did Paul Wilson ever explain to the four of you to the three of you that accompanied him why you were throwing the bomb in the yard or at the residence of Charles Bryant?

Mr. WILSON. No, sir. I don't remember him mentioning anything about it. However, in my own opinion, I would say that it was for the reason that Mr. Bryant was real active in this work that was done in the area there by these, what's the name of, now, COFO workers?

Mr. SENNER. Civil rights workers?

Mr. WILSON. Yes, sir.

The CHAIRMAN. What was the occupation of Bryant, Mr. Wilson? Do you remember?

Mr. WILSON. No, sir, I don't really know. I think, however, he worked for the railroad there in McComb. The Illinois Central Railroad, I think; however, I am not sure.

The CHAIRMAN. As best as you know, now, from your knowledge, did you know or did you hear it said that he was a preacher? Bryant? I am just asking you on that.

Mr. WILSON. I sure didn't.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Wilson, will you explain to the committee that which led up to the second act of violence in which you were arrested and in which you pleaded guilty?

Mr. WILSON. Well, sir, I believe we have already established as of this time we were meeting at another area, outside of McComb there, at the home of—

Mr. APPELL. This is the Klavern headed by Paul Wilson?

Mr. WILSON. Yes, sir.

The CHAIRMAN. What area were you meeting in, so we can have clearly whatever is in your mind?

Mr. WILSON. Well, sir, the meeting place was in an upholstery shop, in the back of the home of Mr. Gillis.

The CHAIRMAN. That's in the city of McComb, or near the city of McComb?

Mr. WILSON. I believe it's on the—

The CHAIRMAN. Outskirts?

Mr. WILSON. Outskirts, in a southwesterly direction. However, it wouldn't be way out of the city limits.

The CHAIRMAN. All right.

Mr. APPELL. On what nights did the Paul Wilson Klavern meet?

Mr. WILSON. On Tuesday night, the same nights that we met at the other Klavern, with the exception of one night, as I recall, we met on a Wednesday night.

Mr. APPELL. Now did you hold a meeting on September 1?

Mr. WILSON. Yes, sir.

Mr. APPELL. What happened at this meeting which led up to the second charge which you pleaded guilty to?

Mr. WILSON. Well, sir, at the end of the meeting, on September 1, 1964, Al Lee, I reckon it was Al Lee that wrote some names down on some stuff, and stuck them in his hat, and said something to the effect that there was some work that ought to be done in the area.

Mr. APPELL. Now let me see if I understand this. At the end of the meeting, Al Lee wrote something on slips of paper, and he put them in his hat and he said to the members who were there, the members of the Klavern, members of the United Klans of America, that in this hat he had put some slips which designated some work or jobs that had to be done in the area.

Mr. WILSON. That is correct.

Mr. APPELL. Will you proceed from there?

Mr. WILSON. I drew a name out of the hat, which bore the name of Alyene—

Mr. APPELL. Quinn?

Mr. WILSON. Yes, sir, Quinn.

And we decided to do this on a Saturday night of that week. This was on a Tuesday, I believe. However, the middle of the week, my grandmother wrote a letter to me and said that they would be at my house on this date. So I told Paul that since they were going to be there, that I wouldn't be able, you know, to do it.

However, he said that he would get some guys together, and would have it done. However, that night, on that Saturday night, something happened, and it wasn't done. And on September the 9th, which was another meeting there in the upholstery shop, immediately after the meeting, Paul told me that he still had the bomb and that he wanted to explode it or unload it or do something with it.

He mentioned the name of Rev. James Baker. He lived approximately 8 or 9 miles east of McComb, and from there, we went to his house.

Mr. APPELL. You went from the meeting place, which was the Gillis upholstery shop, to Paul Wilson's home?

Mr. WILSON. No, sir, the home of Rev. James Baker.

The CHAIRMAN. That's not the question. Didn't you ask if he went to the reverend's home from the upholstery shop?

Mr. WILSON. I still don't understand. I am sorry.

Mr. APPELL. No, Mr. Chairman. I asked him whether or not they went directly there, or after leaving the meeting at the Gillis upholstery shop, did they first go by the home of Paul Wilson.

Mr. WILSON. No, sir, I don't believe. I think we went straight out to the home of Rev. James Baker.

Mr. APPELL. Paul Wilson had the bomb with him when he came to the meeting?

Mr. WILSON. Yes, sir, as well as I remember.

Mr. APPELL. All right, continue.

Mr. POOL. Who was with you at that time?

Mr. WILSON. Sir?

Mr. POOL. Who went with you to the Rev. James Baker's home?

Mr. WILSON. Mr. Wilson and——

Mr. POOL. Paul Wilson?

Mr. WILSON. Yes, sir. He and I were the only ones.

Mr. POOL. Just the two of you?

Mr. WILSON. Yes, sir. We drove by the home of Rev. James Baker approximately one half a mile, on a little road there, and we backed up in the road, and returned to his home. Now his home sits a long, long way off the road. Paul lit the bomb, and I was holding it. As soon as it was lit, I moved approximately 3 yards, I guess, off the road and lobbed the bomb over in the yard, and we jumped back in the car and moved out.

The CHAIRMAN. Who threw the bomb?

Mr. WILSON. I did.

Mr. POOL. Did the bomb hit near the house?

Mr. WILSON. No, sir; nowhere near the house.

The CHAIRMAN. In the yard?

Mr. WILSON. Yes, sir. Right near the road, in fact.

Mr. APPELL. About how far from the house?

The CHAIRMAN. Just to the best of your judgment.

Mr. WILSON. Thirty yards. Maybe 35. It sets way off the road.

The CHAIRMAN. After you threw it, then you immediately jumped in the car, and lit out?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Now before you proceed, did either you or Paul Wilson have any guns in the car with you?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Who had it, and what was it?

Mr. WILSON. Paul Wilson had a rifle, and to the best of my knowledge, I believe it to be an Enfield model 303. And after we were in the car and left—this one we heard—and returned back to McComb, and he dropped me off at my house, and then on to his house.

The CHAIRMAN. Now did Paul tell you or did you discuss, either before going to the reverend's house or on the way there, did you talk about why you were going to throw a bomb in his yard, or on the road near his yard?

Mr. WILSON. No, sir, I don't remember anything being mentioned of that, but then again, it would be that he was active in the——

The CHAIRMAN. COFO activities?

Mr. WILSON. Yes, sir; in the area there of McComb.

Mr. POOL. Did you know whether or not the Klavern had passed on this act of violence or okayed it or told Paul Wilson to do this? Did you know whether they ever took action on it, as a Klavern?

Mr. WILSON. The one that we were in at that time?

Mr. POOL. That was the drawing?

The CHAIRMAN. There was no drawing this time, was there?

Mr. WILSON. No, sir.

Mr. POOL. No drawing?

Mr. WILSON. Not on this night. This was one that wasn't used the week before, and it was left over.

The CHAIRMAN. Oh, that was the one that was to have been thrown the Saturday night you mentioned when your grandmother or your grandparents were coming.

Mr. WILSON. Right.

Mr. POOL. That was for a fellow named Quinn, wasn't it?

Mr. WILSON. A lady by the name of Alyene Quinn.

Mr. POOL. Whatever happened to that? Are you going to come to that?

Mr. APPELL. Well, he has already testified, Mr. Pool, that because of a visit from his grandparents, that he withdrew.

Mr. POOL. I understand, but whatever happened to Quinn? They drew his name. Whatever happened to Quinn?

Mr. APPELL. We will come to it later, sir.

Mr. POOL. All right.

Mr. APPELL. All right. Now, Mr. Wilson, the night that the bomb was thrown into the yard of the Reverend James Baker, this was September the 9th, which was the Wednesday night which you earlier testified was the one occasion when this Klavern met?

Mr. WILSON. I believe that is correct; yes, sir.

Mr. APPELL. Now what was the——

The CHAIRMAN. Reverend what was his name?

Mr. APPELL. James Baker.

The CHAIRMAN. Rev. James Baker was a Negro man?

Mr. WILSON. Yes, sir.

Mr. APPELL. What was the composition of the bomb that you threw at night? Was it three sticks, or four sticks?

Mr. WILSON. It was composed of approximately three sticks of namite wrapped up the same way the other one was, white masking

re.
The CHAIRMAN. Now let me ask you, assuming it was three sticks, whatever number of sticks, were they wrapped together with tape something?

Mr. WILSON. Yes, sir; white masking tape.

The CHAIRMAN. Now was there a fuse of some kind?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Of such length that you planned would be long enough for you to make a getaway before the explosion?

Mr. WILSON. Yes, sir.

Mr. APPELL. As to the manufacture of the bomb, these bombs in the instances you have now related were supplied by Paul Wilson. In other words, he was the man that brought them to the scene.

Mr. WILSON. Yes, sir.

Mr. APPELL. Do you know where Paul Wilson got the bombs?

Mr. WILSON. No, sir.

Mr. APPELL. Is it your belief that Paul Wilson made them himself?

Mr. WILSON. I really wouldn't know. I wouldn't want to answer her way.

The CHAIRMAN. Well, that's your right. Just answer to what you know.

Mr. APPELL. All right. Now on the following Tuesday night, September the 15th, did this Klavern that met at Gillis' upholstery shop meet?

Mr. WILSON. Yes, sir.

Mr. APPELL. Did you on that night have a drawing similar to the drawing which took place on September 1?

Mr. WILSON. Yes, sir.

Mr. APPELL. Will you describe to the committee how this drawing took place?

Mr. WILSON. This drawing took place exactly as the other one did, immediately after the meeting was adjourned. There Al Lee had no more names in a hat. I was up right near the hat. I reached in and I drew a name out and walked to the rear of the building, and aside, and looked at the name that I had drawn, and the name I had drawn still bore the name of Alyene Quinn.

I walked back into the meeting area. All the names were out of that. What names were on the others, I don't know.

The CHAIRMAN. Well, let me ask you this question, so I can follow you. Do you know whether in that hat there were other names, whether other Klansmen drew other names than the one you drew, or Quinn woman? Just answer to what you know.

Mr. WILSON. I would assume, sir, that there would be other names written on these—

The CHAIRMAN. Slips?

Mr. WILSON. Yes, sir, slips.

The CHAIRMAN. Now do you know whether, in fact, other members drew other names, or after drawing a name, did you walk out? I just want to know what you know.

Mr. WILSON. Well, sir, I would estimate that there would be approximately four or five slips in the hat. I drew one out and walked to the rear of the building. When I returned, they were all gone, so I would assume that they were drawn.

The CHAIRMAN. All right. So you drew the name Quinn twice?

Mr. WILSON. That is right.

Mr. APPELL. Is your knowledge with respect to the slips that were in the hat on September the 1st the same as your knowledge with respect to September the 15th, that there were more than the slip that you drew?

Mr. WILSON. Yes, sir.

Mr. APPELL. And in the September 1st, all the slips were drawn.

Mr. WILSON. Yes, sir.

Mr. APPELL. With respect to the night of September 1st, did you learn the identity of any other member of the Klavern as to the job that he drew?

Mr. WILSON. No, sir.

Mr. APPELL. Within the group, was it not a matter of operational procedure that one member never discussed with another a job that he might have drawn, or a job that he might have been on?

Mr. WILSON. That is right.

Mr. APPELL. Therefore, the only thing that you know is that following the drawing of September 1st and following the drawing of September 15th, that there were other bombings or arson in the area?

Mr. WILSON. Yes, sir.

Mr. APPELL. But yet you do not know which member of your Klavern was involved in each of the other bombings?

Mr. WILSON. That is right. I don't know which one was, or if any were.

Mr. APPELL. Now pick up again with the following of the drawing of the slip which contained Alyene Quinn's name and what procedures you followed from there on.

Mr. WILSON. Well, sir, after the meeting of September 15, 1964, at which I drew the name of Alyene Quinn for the second time, immediately after we were leaving, all of us were leaving the building, I asked Paul Wilson if he would like to help me, and he said that he would.

Mr. APPELL. Now let me interrupt you there, and correct me if I am wrong. When you drew the slip which contained the name of Alyene Quinn, it was then your responsibility to carry out the project, or the job?

Mr. WILSON. That is correct.

Mr. APPELL. And it was up to you to select the people that were going to assist you, if you needed assistance?

Mr. WILSON. That is right.

Mr. POOL. Now just a minute, now. When did you get those instructions? And where?

Mr. WILSON. Well, I don't ever remember receiving any instructions as to that effect. It was just more or less——

The CHAIRMAN. Accepted procedure.

Mr. WILSON. Yes, sir, accepted or understood.

Mr. POOL. Just talk around the Klavern.

Mr. WILSON. That is right.

Mr. POOL. Wasn't officially spelled out.

Mr. WILSON. That is right.

Mr. APPELL. Was this procedure, adopted by whatever form it was adopted, in order to maintain the security of the people who were involved in these different projects?

Mr. WILSON. That is right.

Mr. APPELL. Now you asked Paul Wilson, at the time I interrupted you, you had asked Paul Wilson if he would help you on this Aylene Quinn job, and he indicated that he would.

Mr. WILSON. Yes, sir.

Mr. APPELL. What happened after that?

Mr. WILSON. He said that he would. However, if you don't mind, I would like to go back and—

The CHAIRMAN. All right; you do whatever you want.

Mr. WILSON. And bring in something here.

During the meeting on the night of September the 15th, 1964, Al Lee mentioned the fact that Ernest Zeeck, who was a member of the Ray Smith group, what-have-you, was thinking seriously about, well, how would you say now, getting out of the Klan, because it seemed that no one had asked him in on anything. And he, Al, thought that since he wanted in on a little of the action, you might say, that one of us ought to ask him.

So, after I asked Paul to help me, I asked him if he knew of anyone else that might like to, and he said he did—James Wilson. And I asked him if he would ask him, and he said that he would.

About Wednesday of the next week—no, that was, wait a minute. The 15th was on Tuesday. Anyway, later on that week—

Mr. APPELL. The same week?

Mr. WILSON. Yes, sir, the same week, I saw Paul, and asked him if he had asked him if he wanted to go with us on this job. He said that he had asked him and that he would go.

So, going back once more to this meeting again—it seems I never will get off of it—but going back once more to this meeting on September the 15th, Sterling Gillis said that we should go to his home on Friday afternoon of that week after the bomb.

Mr. APPELL. You should pick up the bomb that you were going to use at his residence, or at his upholstery shop?

Mr. WILSON. At his home, I guess.

Mr. POOL. Who was that, now?

Mr. APPELL. Sterling "Bubba" Gillis.

Now as I understand it, the upholstery shop was in a building that was in the rear of his home; is that right?

Mr. WILSON. Yes, sir. However, on the day that we were—that I was supposed to go to his home after this bomb, I love to hunt, so I was off in the woods there hunting, and I got in late. So I waited 'til Sunday morning, September the 20th, 1964, and I went by the home of Paul Wilson and asked him if he wanted to ride out with me after it, and he did.

We went to the home there, and there was someone at his home there from out of State, or out of the area there, and he said that Al Lee had the bomb over at his home and for us to go there after it.

Mr. APPELL. Now when we talk about Al Lee, we are talking about Emery Allen Lee, who is known by the nickname of Al?

Mr. WILSON. I reckon that would be the same one; yes, sir.

From there we drove to the home of Al Lee and went in and asked him there for the bomb, and he let us have it and put it in a brown bag or a sack.

Mr. APPELL. Like a grocery sack?

Mr. WILSON. Yes, sir.

Mr. APPELL. Now where did Al Lee have this bomb?

Mr. WILSON. It was in his dining room, I guess you would say. It was a place in the wall of his home where you lifted up this lid, and he reached down in.

Mr. APPELL. In other words, he had it concealed in a hiding place in the dining room of his home.

Mr. WILSON. Yes, sir.

Mr. POOL. In the wall or the floor?

Mr. WILSON. In the wall. A cabinet was made into the wall, and he lifted up the lid on it, and it was in there.

Mr. APPELL. Was anyone present at Emery Allen Lee's home at the time you picked up the bomb from him?

Mr. WILSON. Yes, sir; Mr. Hilton Dunaway.

Mr. APPELL. Whom you also knew to be a member of the same Klavern that you were, and who also accompanied you on the night that the residence of Charles Bryant was bombed?

Mr. WILSON. That is correct. After we had received the bomb—

The CHAIRMAN. And on what day of the week was that?

Mr. WILSON. That was Sunday, September the 20th.

The CHAIRMAN. All right. Go on, in your own way.

Mr. WILSON. After we had received the bomb and had it wrapped up in a bag, I went out and laid the bomb in the rear of my car, down on the floor. From there, we went to the home of Ernest Zeeck, who lived on the corner of Fifth and Missouri, in McComb.

Mr. POOL. Now he was a member of the Ray Smith Klavern, wasn't he?

Mr. WILSON. Yes. We got out and went into his home and asked him—first we asked him was it true that what we had heard that he was getting ready to—

Mr. SENNER. Resign?

Mr. WILSON. Resign, you might say. And he said "Yes," and we asked him the reason why, and he said because that he hadn't been asked, you know, to help on anything. So we told him that if he wanted to, that he could ride along with us that night, and asked him if he wanted to, which he said he would.

However, we did not let him know what was going to happen, or where or who or anything, you know, to that effect. So he accepted, and we left and got back to my car and drove to the home of Mr. James Wilson.

The CHAIRMAN. Now who left?

Mr. WILSON. Paul Wilson and me.

The CHAIRMAN. You didn't bring Zeeck with you?

Mr. WILSON. No, sir.

The CHAIRMAN. All right.

Mr. WILSON. However, we told Zeeck that we would meet him at his home at approximately 6 o'clock that night. So Paul and I got back into my car and drove to the home of James Wilson, who wasn't home at this time. His wife said he was going down to his oil station there and said he ought to be back any minute. We waited outside for him, and in about 5 minutes, I would estimate, that he returned home.

We asked him if he wanted to ride out by the home of Alyene and look over the area there, on the layout, and see if we could arrive at any idea how it ought to be done, so he said that he did. So Paul and Jimmy and myself got into my car, and we drove to her home and looked it over and returned home, back to James Wilson's house.

Well, it was about this time that we thought, since this was going to be done that night, that we ought to have an excuse or an alibi if anything happened. So we decided we would meet on the river bank that night, about 8 or 9 miles out of McComb out there——

The CHAIRMAN. Before you arrive at that point, before going to the river bank or the creek bank, did you all buy some food, or——

Mr. WILSON. Yes, sir; I am on my way to that.

The CHAIRMAN. Are you coming to that? All right.

Mr. APPELL. On what river and at what location were you going to establish your alibi?

Mr. WILSON. The river is called Bogue Chitto River, and it is at a spot known as Hoover's Bridge.

So we went back to the James Wilson house. He said that he would bring the lines and the bait and everything that we needed there for an alibi, so we let him off. Paul—and I dropped him off at his house, and I went on home. About 4 or about 5 o'clock that afternoon, I guess, my wife and I and my small son drove into McComb, where I went to the home of Paul Wilson. From there he said that he would use his automobile that night in the action that would be taken. I transferred the bomb from my car to the trunk of his car, and we went into the house and we got two weapons. I believe there was a 16-gauge over-and-under shotgun, and again this Enfield rifle, model 303. We wrapped them up in an OD Army blanket and stuck them into his automobile, in the rear of it, in the trunk, and from there we went to the home of Ernest Zeeck.

We got him and went to a small store, where we obtained some milk and some stuff to eat that night.

However, I would like to go back here and say that James Wilson said that he would meet us that night, out there; that he would leave on earlier in the afternoon and go out and have everything, you know, ready the hooks and everything in the water.

After we had bought some food, Zeeck and Paul and myself went out to the river, and we sat around that night and we ate what we had bought and we sat around and laid out what was going to happen, and what each one of us would do on it. We decided that James Wilson would drive the automobile, and I would ride in the front right-hand side, as a guard, using the 16-gauge over-and-under shotgun. Paul would light the fuse, sitting in the lefthand side, in the rear, and

Ernest Zeeck would. I think they used the word, it would be his honor, you might say, since it was——

The CHAIRMAN. It was his first job.

Mr. WILSON. Yes, sir; that he would have the honors.

The CHAIRMAN. Would throw?

Mr. WILSON. That is right. After we had worked it all out, all of it out, we left the riverside at approximately 10 minutes to 10 that night, which we estimated the time that you might say the action would happen would be around 10 that night.

The CHAIRMAN. By the way, did you do any actual fishing, either true or as an alibi, did you throw any lines in?

Mr. WILSON. Yes, sir; we had lines and baits and everything out there. No fish was caught, though.

The CHAIRMAN. Didn't catch any fish.

Mr. WILSON. So about 10 minutes to 10, as I say, we all loaded up in Paul Wilson's automobile, in our right spots, and during the morning we had observed that the road that runs by Alyene's home runs, I believe it runs north and south, to the best of my recollection.

We came in the back way on it, and there was a road about, I would say, a block down from her home that made a loop, more or less, and a road let us out a block, about a block—let's see—south of the home. So what we had decided to do was about—we would drive this road here, down north of her home, take it on around to a block in the other direction, where, when the bomb was released, and stuff, that we would be headed out of the area, away from it.

So it was agreed. We did this and we traveled this route about four or five different times, because every time we went around, there would be someone walking up the road or there would be an automobile behind us or we would be—anyway, something always happened that it wasn't opportune at that time.

Well, finally we made a round, and everything was all right. Just before we reached her home, James Wilson switched off the lights on the car. We rolled up there by her house, in front of it, stopped the car. I opened the door and got about halfway out of the car, and the door was about halfway open, and I laid the shotgun on the door and Paul lit the fuse. Zeeck had his door open, and as it lit, he popped out of the car and took about one or two steps, and up in the yard it went.

We jumped back in the car and we had gone about 25 yards, I guess, and just as we switched the lights back on there was a Negro male, I would say in his late teens or early 20's, who was walking on the right-hand side of the road there, and meeting us, and it was real dark that night, and just as the lights was on, and the lights went right on him.

That wasn't any time there to stop, so we kept right on going. It is approximately 3 miles into Summit, and just before we reached there we heard this loud explosion. We got back on this road that led back out to there to the river, and once we reached the river we set fire to the bag that it was in, went down to the river bank and got all the lines up, and loaded up and James Wilson and I got back in his car, and Paul and Zeeck took their car, and we went on back home.

Paul followed James and I to his home, where I got out of James Wilson's car and got in the one with Paul, and from there we drove

to the home of Ernest Zeeck, let him out, went to the home of Paul Wilson, and we got out.

I went into the house and I got my little boy, who was asleep, and my wife and I went home and went to bed that night, and that's about all I can tell you.

The CHAIRMAN. Let me ask you: What type of dynamite did you use? How many, and was it the same kind of operation?

Mr. WILSON. Well, sir, the type, I don't know what type it was, but it was——

The CHAIRMAN. Well, about how many sticks were there?

Mr. WILSON. Well, the bomb consisted of, I would say, from 12 to 14 sticks of dynamite, something to that effect. It was about 8 or 9 inches around, all wrapped together, and held together by this white tape.

The CHAIRMAN. Again, you had some kind of a fuse of such a length to give you an opportunity to get away before the detonation.

Mr. WILSON. Yes, sir. I would estimate the fuse that I saw was approximately 18 inches long.

The CHAIRMAN. As a matter of fact, it was, did I understand you to say, about 3 miles of your travel before you heard the explosion?

Mr. WILSON. Yes, sir; approximately 3 miles. And that was driving real fast.

The CHAIRMAN. Real fast.

Mr. WILSON. Yes, sir.

The CHAIRMAN. What kind of car was it?

Mr. WILSON. We used Paul Wilson's car. It was a black '61 Ford.

The CHAIRMAN. And you really gave her the gun?

Mr. WILSON. Yes, sir.

Mr. POOL. Let me ask this question: Who did you say threw this last bomb?

Mr. WILSON. Ernest Zeeck.

Mr. POOL. I thought you said that Paul——

Mr. WILSON. He lit it.

Mr. POOL. Then he handed it to Ernest Zeeck; is that it?

Mr. WILSON. No, sir; Ernest Zeeck——

Mr. POOL. Was holding it?

Mr. WILSON. Yes, sir.

The CHAIRMAN. Now, I asked you this: Did you at any time during that meeting at the river bank or on the way to the house of this colored woman discuss why you were doing this job?

Mr. WILSON. No, sir; but there again, she was well known in the area for, you know, being active in this——

The CHAIRMAN. Civil rights and COFO operation?

Mr. WILSON. That is right.

Mr. POOL. What did you all expect to accomplish by throwing this bomb at Alyene Quinn's house?

Mr. WILSON. Well, sir, let's see if I can give you a suitable answer. I can only speak for my own self in there. So as far as I am concerned, these bombs or anything to that effect was done to, you might say, let them know that we knew and that we wouldn't—that I wouldn't want to hurt anyone, but to give them——

The CHAIRMAN. To frighten, to terrorize.

Mr. WILSON. That is right. To frighten. I wouldn't want anyone hurt.

Mr. POOL. In other words, none of your group—or, well, you are speaking for yourself—didn't expect the bomb to injure anyone.

Mr. WILSON. That is right.

Mr. POOL. So you didn't throw it right up to the house. You threw it in the yard.

Mr. WILSON. Well, sir, the bomb was of such size and weight, even though the house was right near the street, it was up on a high bank, you might say, or embankment, and if you wanted it in the house, you couldn't have got it there anyway.

Mr. POOL. Why didn't you stop the car when you saw the colored boy on the road there, and warn him——

The CHAIRMAN. This is a bomb. That is the other bombing you are talking about, when you saw the boy?

Mr. WILSON. You mean Alyene.

Mr. POOL. At Alyene Quinn's you say you saw a boy on the road at Alyene Quinn's, as you drove off. Is that correct?

Mr. WILSON. That is correct.

Mr. POOL. Why didn't you stop the car and warn him about the bomb there, if you say that you didn't intend to injure anyone?

Mr. WILSON. The thought never entered my mind.

Mr. POOL. How far was he from the bomb when you saw him?

Mr. WILSON. Oh, he was about a half block.

Mr. POOL. Was he walking toward Alyene Quinn's house?

Mr. WILSON. Yes, sir.

Mr. POOL. About half a block away. He could have probably made it in time, if he was going to her house.

Mr. WILSON. Yes, sir.

Mr. POOL. Did he get injured, do you know?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Wilson, did you ever return to the Quinn residence for the purpose of determining the damage which was done by that bomb?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Chairman, for the record, I would like to place in the record at this point a series of photographs which show the damage to the Quinn residence.

The CHAIRMAN. All previous documents referred to and exhibited and these photographs will be introduced in the record.

(Photographs marked "Billy Wilson Exhibit No. 1" appear on pp. 2853 and 2854:)

Mr. POOL. Let me ask you one further question: Why did you increase the size of the bomb on Alyene Quinn's bombing when you went out to her house?

Mr. WILSON. Well, sir, I didn't increase it. I had nothing to do with it. It was already made when I——

Mr. POOL. On your previous bombings, I think you said you had three sticks of dynamite. On Alyene Quinn's bombing you had 12 or 15 sticks tied together. Is that correct?

Mr. WILSON. That is right.

Mr. POOL. Well, then, the 12 or 15 sticks did all this damage that has been introduced here in evidence.

The CHAIRMAN. I would say from these photographs that it wreaked such havoc to the house that if no one who was in it was injured, it was a miracle.

Mr. APPELL. Mr. Wilson——

The CHAIRMAN. Was there someone injured?

Mr. APPELL. No, sir.

Early in October, were you and others, as a result of investigative effort on the part of Mississippi law enforcement officers, arrested?

Mr. WILSON. Yes, sir.

Mr. APPELL. At the time of your arrest, did you still have in your pocket the slip which you drew from the hat at the Klavern meeting on the night of September 15?

Mr. WILSON. Yes, sir.

Mr. APPELL. Mr. Wilson, I show you a reproduction of the words contained on that slip. Although this is not the original slip, because as I understand your testimony that was a green slip, would you tell me whether that is a reproduction of the language as contained on the slip?

(Document handed to witness.)

BILLY WILSON EXHIBIT No. 1



BILLY WILSON EXHIBIT No. 1—Continued



Photographs showing bomb damage to Alyene Quinn residence, McComb, Miss.

Mr. WILSON. Yes, sir.

(Document marked "Billy Wilson Exhibit No. 2 follows:)

BILLY WILSON EXHIBIT NO. 2

*Alyene Quinn
304 Old Summit Road
South of the Border
night club*

Mr. APPELL. Do you know whether or not that writing is in the hand of Emery Allen Lee?

Mr. WILSON. No, sir.

Mr. APPELL. Did you know that Emery Allen Lee, from whose home you picked up the bomb, while in military service, had a period of duty at Aberdeen Proving Ground and received training in demolition?

Mr. WILSON. No, sir.

Mr. POOL. I didn't get the last question. What did you say?

Mr. APPELL. I asked him whether he had knowledge that Emery Allen Lee, while in the Army, had a tour of duty at Aberdeen Proving Ground and was trained in demolition.

The CHAIRMAN. Mr. Appell, will you describe the exhibit with some writing on it that you showed the witness? Say, for the record, what it is.

Mr. APPELL. Yes, sir; I will.

Mr. Chairman, the slip contained the name "Alyene Quinn, 304 Old Summit Road, South of the Border Night Club."

The CHAIRMAN. And there is a police notation on that piece of paper saying that this slip—

Mr. APPELL. Was found in the pocketbook of Billy Wilson at the time of his arrest.

The CHAIRMAN. All right.

Mr. APPELL. Mr. Wilson, did you cooperate fully with the Mississippi Highway Patrol and other law enforcement agencies with respect to your involvement in these affairs?

Mr. WILSON. Yes, sir.

Mr. APPELL. In addition to your arrest, did these agencies also arrest Paul Dewey Wilson?

Mr. WILSON. Yes, sir.

Mr. APPELL. Jimmy Princeton Wilson?

Mr. WILSON. Yes, sir.

Mr. APPELL. Ernest F. Zeeck?

Mr. WILSON. Yes, sir.

Mr. APPELL. Sterling H. "Bubba" Gillis?

Mr. WILSON. Yes, sir.

Mr. APPELL. Hilton Dunaway?

Mr. WILSON. Yes, sir.

Mr. APPELL. Jon Paul Westbrook?

Mr. WILSON. Yes, sir.

Mr. APPELL. Charles Avery Womack?

Mr. WILSON. Yes, sir.

Mr. APPELL. Gerald Lawrence?

Mr. WILSON. Yes, sir.

Mr. APPELL. And Emery Allen Lee?

Mr. WILSON. Yes, sir.

Mr. APPELL. Did you know each of them to be a member of the Klavern to which you were assigned, of which Paul Wilson was the exalted cyclops?

Mr. WILSON. Yes, sir.

Mr. APPELL. What position did the United Klans of America, of which you were all members in good standing, take after your arrest?

Mr. WILSON. Well, Mr. Appell, to the best of my knowledge I don't know of anything they done. Just let us sit there.

Mr. APPELL. Did they obtain counsel for you?

Mr. WILSON. They didn't obtain counsel for me; no, sir.

Mr. APPELL. To your knowledge, did they obtain counsel for anyone?

Mr. WILSON. No, sir.

Mr. APPELL. Did they at any time assist you or any of the other members financially?

Mr. WILSON. Well, sir, while I was in jail at Magnolia, Mississippi, Rev. J. C. Brown came there to visit us, and he——

Mr. APPELL. Now, he was the man that you knew as the kludd of the Klavern which Ray Smith was the exalted cyclops of?

Mr. WILSON. That is right.

Mr. APPELL. Your first Klavern.

Mr. WILSON. He said that he had \$1,100. He didn't say where he got it, but he had it, and I believe that there was 11 of us arrested, and he said he had \$100 for each of us.

He phoned my wife up and told her about it, and my wife was real leery, anyway, of him, so she never went over after it. However, after I received my sentence and was released, I went over after it and got \$100.

At the time of my release and sentence on the misdemeanor charge, to which I pled——

Mr. APPELL. Nolo contendere?

Mr. WILSON. Yes, sir, nolo contendere, I was sentenced to 6 months in jail and a \$500 fine. This 6 months was to be suspended, and the \$500 fine had to be paid within a week's time, plus the cost of court, which was \$78. So all told, I had to get hold of \$578, I believe, is the right amount.

About Wednesday of that week Brother Brown sent word to me for me to stop over at his home, which I did. He gave me \$250, which was half of my fine, and also gave me \$78, which was all the costs of the court. That, as far as I knew then, I was just about in the same shape as I was in before, because I didn't have the money, you know, to match the other, for the half of it.

So my granddad—I might say he is a real nice guy—let me have the other half of the money, which I went down immediately the next afternoon from work, and I paid all my fines and everything.

Mr. APPELL. What about the fee that you had to pay for an attorney to defend you in this action?

Mr. WILSON. My aunts and uncles, and what little money I had, they all went together and tried for a lawyer, and I think they asked about two, I think, and finally wound up with Mr. L. S. McClaren. As a retainer, he said he had to have \$500, which they all went together and made up the money, and they didn't have it, and he was my lawyer.

Mr. APPELL. So that of the \$500 that you had to pay your attorney and the \$500, plus court costs, that you were fined, the United Klans of America, of which you were a formal member and for which you engaged in these acts as a result of action formally taken within a Klavern chamber, paid then \$100, I guess, toward your attorney fees, one-half of your fine in the amount of \$250, and the \$78 court costs, or a total of \$428.

Mr. WILSON. As far as I know, that money that was raised that we received was raised right there, you know, in town, by—it may be some members that were in the Klan, but I imagine there was a lot of them that wasn't in the Klan that let us have some money. So far as I know, to actually say that I received money, I can't, because I don't know.

Mr. APPELL. Mr. Chairman, during the committee's investigation into Georgia, the committee obtained a document signed by Calvin Craig, the Grand Dragon for Georgia, which made an appeal to members of the Klan in Georgia for financial help for Mr. Wilson and his other codefendants. That message, signed over the name of Calvin Craig, the Grand Dragon, said that these people were not Klansmen, to the best of Mr. Craig's knowledge, but that they were innocent of any wrong and the Klan wanted to help them.

I think the record should show, from Mr. Wilson's testimony, that these men were, in fact, members of the United Klans of America and that the action of Mr. Craig could have been no more than just deceit upon the United Klans of America in the Realm of Georgia.

The CHAIRMAN. Mr. Appell, when you were conducting an investigation in the field, did you interview Mr. Robert F. Shelton?

Mr. APPELL. I did, sir.

The CHAIRMAN. In the course of your interview, did you make inquiry as to whether this young man, Mr. Wilson, and the other McComb people convicted of violence along with Mr. Wilson were members of the United Klans of America?

Mr. APPELL. Yes, sir. I interviewed Imperial Wizard Shelton in his offices in Tuscaloosa on April 14, 1965, and I brought up the incident in McComb, by reference to a newspaper article which claimed that one of the men arrested had a card of membership in the United Klans of America in his possession. Mr. Shelton advised me that the card that the man had in his possession was not a membership card, but was a calling card like salesmen handed out, and that this is all the connection that these men had with the United Klans of America.

When I asked Mr. Shelton pointblank whether or not these men were, he denied that they were, and when I told him that we could establish the fact that they were, he then referred me to the Grand Dragon of Mississippi, E. L. McDaniel.

Mr. POOL. Now, I want to ask you about, in the course of your investigation, what type of appeal was made for funds for Billy Wilson's defense?

Mr. APPELL. We know of no solicitation of funds for Billy Wilson's defense, but—

Mr. POOL. The 11 men.

Mr. APPELL. We know about the solicitation by the Grand Dragon of Georgia.

The CHAIRMAN. Craig.

Mr. APPELL. Craig, Calvin F. Craig, and we know in connection with our investigation into Louisiana that a check was written by the Realm of Louisiana to E. L. McDaniels, the Grand Dragon of Mississippi, marked "Defense Fund." Whether that money was earmarked for the defense of Mr. Wilson and the others, the investigation leaves a question mark.

Mr. POOL. Were there any letters sent out soliciting funds for the defense fund?

Mr. APPELL. Other than the letter I referred to sent out by Calvin Craig, we possess no additional knowledge.

The CHAIRMAN. You have no investigative knowledge that any of the funds solicited apparently throughout Mississippi by the—what is the name of that group?

Mr. APPELL. The White Christian Protective and Legal Defense Fund.

The CHAIRMAN. Do you have any knowledge that any of the funds—which, by the way, was a secret Klan operation, in fact—but what I am asking you is, do you have any investigative knowledge that any of the funds of that particular "Defense Fund" were used in connection with the case in which this witness was involved?

Mr. APPELL. We do not have, sir, and I might point out that the White Christian Protective and Legal Defense Fund was an instrumentality of the White Knights of the Ku Klux Klan of Mississippi, an autonomous Klan group, which was in competition with the United Klans of America for membership.

The CHAIRMAN. Well, I might say that it has come to my knowledge in connection with other matters that this is not the first defendant involved in Klan prosecution of an activity who was left in the lurch and not provided with funds or counsel in connection with their defense.

Did Mr. Shelton or Mr. Sam Bowers or high officials of the Klan organizations in Mississippi ever visit you or talk to you and say, "We are for you; we are going to help you out," and all of this stuff?

Mr. WILSON. I have never laid eyes on them.

Mr. POOL. In your course of investigation, the Calvin Craig letter you referred to a while ago, did that go through the mails?

Mr. APPELL. I possess no direct knowledge, but I see no other method by which it could be distributed as generally as it was throughout Georgia.

Mr. Wilson, I hand you a photograph, and ask you if the person you see on two profiles is the Jimmy Wilson about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if that individual is the Ernest Zeck about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is Murphy John Duncan about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is Paul Dewey Wilson about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is the photograph of the 1950 Ford owned by Paul Dewey Wilson in which you went on several jobs that you have described.

(Photograph handed to witness.)

Mr. WILSON. That is a 1961 Ford.

Mr. APPELL. Or 1961. I ask that the record be corrected.

I hand you a photograph and ask you if this is the Sterling Lewis Gillis, better known as "Bubba" Gillis, about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I hand you a photograph and ask you if this is Emery Allen Lee about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is the Hilton Dunaway about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. And I show you a photograph and ask you if this is the Jon—spelled J-o-n—Paul Westbrook about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is the Gerald R. Lawrence about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

Mr. APPELL. I show you a photograph and ask you if this is the Charles A. Womack about whom you have testified.

(Photograph handed to witness.)

Mr. WILSON. Yes, sir.

(Photographs marked "Billy Wilson Exhibit No. 3" and retained in committee files.)

Mr. APPELL. Mr. Wilson, other than the people that we have identified, in the course of your membership with the Paul Wilson Klavern, as we will call it, because he was the EC, did you know Ed Wilkins to be a member of that Klavern?

Mr. WILSON. Yes, sir.

Mr. APPELL. Did you ever hear testimony that because Mr. Wilkins was in the oil business that he had access to explosives?

Mr. WILSON. Yes, sir.

Mr. APPELL. Do you possess any knowledge whether any of the explosives used were ever obtained from Ed Wilkins?

Mr. WILSON. No, sir.

Mr. APPELL. Now, Mr. Wilson, after your arrest, or after you received your sentence, probation, were you ever advised by anyone as to your status as a member of the United Klans of America?

Mr. WILSON. Yes, sir. A day or so after we was released from jail and sentenced, Mr. Jody—what's the name?—Greenlee informed me that the Klan had had a meeting, and I presume that this was the Klan in which Ray Smith was EC, since he was a member of that organization.

Mr. APPELL. You knew Jody Greenlee to be a member of the Klavern that Ray Smith was exalted cyclops of?

Mr. WILSON. Yes, sir.

Mr. APPELL. What did Mr. Greenlee tell you?

Mr. WILSON. He said that they had held a meeting, and since we were sentenced to 5 years that we would be suspended from the Klan for that length of time.

Mr. APPELL. What he advised you was not that you were banished, but, rather, that you were suspended for the period of time that you were under probation.

Mr. WILSON. That is the way I understood it; yes, sir.

Mr. APPELL. Following your arrest on, I think it was, October 2, 1964?

Mr. WILSON. 3d.

Mr. APPELL. October 3, 1964, have you ever attended a meeting of a Klavern of the United Klans of America or any other Klan organization?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Wilson, if you had to lead your life over again, would you become a member of a Klan organization?

Mr. WILSON. No, sir; I sure wouldn't. I might add that I would advise or try to talk anyone else from doing so. In my own opinion, other organizations—and these are just out of the hat, you might say, at random—like SNCC and NAACP and other groups, they feed on things that they do, and on the other hand, the Klan, it does just the same thing. The Klan—I don't know, I don't like it. The actions that it has, or anything about it, I don't like.

I don't condone, and like I say, if I had it all to do over again, I would never be a member of any organization like this, any Klan organization.

Mr. APPELL. Because of the oath that you took of secrecy, the obligation of membership, do you feel that when you are asked to go on these jobs that you had to?

Mr. WILSON. Yes, sir.

Mr. APPELL. If you had not been a member of a Klan organization and someone had approached you to go on a bombing mission, would you have done it?

Mr. WILSON. No, sir.

Mr. APPELL. Mr. Chairman, may I have a moment?

The CHAIRMAN. Yes, sir.

Mr. APPELL. Mr. Wilson, at the time you joined the Klan, were you given a document "Fifty Reasons Why You Should Be a Member of the Original Ku Klux Klan"?

Mr. WILSON. Yes, sir.

Mr. APPELL. Mr. Chairman, because that document is already in the record, I shall not reintroduce it at this time. (See Murry Martin Exhibit No. 14, p. 2389.)

Mr. Wilson, I hand you a report of Investigator Sullivan which sets forth certain phrases and expressions that appeared on a piece of paper found in the possession of Emery Allen Lee at the time he was arrested. I ask you to examine these phrases and words which appear to me to be some kind of code designations and tell us if you possess any knowledge with respect to any of the entries.

Mr. WILSON. No, sir.

(Document marked "Billy Wilson Exhibit No. 4" and retained in committee files.)

Mr. APPELL. Mr. Wilson, in addition to the Ray Smith Klavern, do you possess knowledge of other Klaverns of the United Klans of America in McComb, Mississippi?

Mr. WILSON. Yes, sir.

Mr. APPELL. What would be your statement as to the total Klan membership in McComb? In trying to work this out with Investigator Sullivan, did you arrive at an estimate of somewhere around 350 members?

Mr. WILSON. I believe I did.

Mr. APPELL. All right. Now, when you formed the new Klavern under the leadership of Paul Wilson, did you give it a name other than Klan which we have described as a cover name?

Mr. WILSON. Yes, sir.

Mr. APPELL. By what name, or what name did you assign this new group?

Mr. WILSON. The name that was assigned to this new group was called South Pike Marksmanship Association.

Mr. APPELL. South Pike, P-i-k-e, Marksmanship Association.

Mr. Chairman, the staff has no further questions to ask of Mr. Wilson.

The CHAIRMAN. Mr. Wilson, Mr. Sullivan told me, the investigator of this committee, that when you were called to appear before this committee in public session—I might say that you had already appeared in executive session—you expressed the hope, at least, that it would be on a day when no other Klansmen were subpoenaed to testify. In that correct?

Mr. WILSON. That is right.

The CHAIRMAN. Well, I can't guarantee you that no Klansmen are in town today, but you are the only witness before this committee today, and I want to tell you that whatever fears you have, I think you can forget about them. There is a lot of barking. It is like a barking dog. I doubt that members of the Klan are going to make any more than noise when it comes to witnesses that appear before this committee.

I am glad that you got out of this outfit. You have acknowledged that what you did was wrong. On the other hand, you had the stamina and the courage and the guts, after having done it and after being arrested, to face the music and to face the court, to tell the truth, and to plead guilty.

I know from what has come to me, and from your previous appearance, that you have undergone great distress, you and your wife, your child, and particularly your parents. For all that, for getting out of it, for acknowledging that it was wrong, for your appearance here, voluntary appearance under oath, and telling it all, I certainly congratulate you, and I want to tell you that we are deeply appreciative.

You and others like you, I suspect—I hope, I am confident—will be the vehicle for many others to take that attitude from here on.

I tell you that there is a Federal law which makes it a very serious offense to do anything to you, and I would say the law would be meaningless unless it applied also to people such as your family, because you have appeared. If there is anything that does happen, and my guess is that it is 100-to-1 nothing will happen, just report the incident to us.

I know you are under severe, the most severe probationary sentence I have read, and it is tough, but glory to you. I thank you.

Mr. POOL. I want to join in what the chairman just said and also tell you, Mr. Wilson, that I am also a member of the Post Office and Civil Service Committee, and the testimony that you have given here today will be helpful. I am going to ask the postal inspectors to look into the matter of the letter that was mailed in Georgia.

I understand the information I have that most of the Klansmen in Georgia received this letter, and in view of the fact that the defense fund wasn't forthcoming, I want to ask the postal inspectors to check the mailings and things like that, which they have the facilities to do, and see if any Federal law has been violated in that regard, raising money for your defense that you never did receive from the Grand Dragon of Georgia.

Mr. BUCHANAN. I just want to join the chairman in thanking you for your testimony and congratulating you for your decision to disassociate yourself with this organization. I appreciate your courage in testifying here today. We appreciate it.

The CHAIRMAN. Mr. Senner?

Mr. SENNER. Yes, Mr. Chairman. I would like to join with my other colleagues on the committee to commend you for resigning from this organization. It is too bad you didn't have the knowledge not to join in the first instance, but this is looking back in retrospect. I would like to ask you just a couple of questions.

In your meetings, when a job is decided after the meetings, were the victims or the individuals whose names appeared on the slip discussed in the Klan meetings?

Mr. WILSON. No, sir.

Mr. SENNER. Well, who would determine these names, to your knowledge? Would it be Paul Wilson?

Mr. WILSON. The names that I drew out of this hat, as I told Mr. Appell, that it was Al Lee's hat, and I reckon it was he that wrote the names down. How he arrived at these names, or anything to that effect, I don't know.

Mr. SENNER. In other words, the members didn't even have an opportunity to discuss the pros and cons of the bombings; is that right?

Mr. WILSON. That is right.

Mr. SENNER. When you received this money from J. C. Brown, the kludd, did he inform you of where the money came from?

Mr. WILSON. No, sir.

Mr. SENNER. Did he tell you how he came into possession of the money?

Mr. WILSON. No, sir.

Mr. SENNER. What is J. C. Brown's occupation?

Mr. WILSON. He is a minister.

Mr. SENNER. What would you estimate his income to be, per annum?

Mr. WILSON. I don't know.

Mr. SENNER. Well, do you think he would have this money from his own personal funds, or would he have to get it from outside sources?

Mr. WILSON. I believe it would be from outside sources. Sympathizers.

Mr. SENNER. Would you take the admonition, that given to you by Jody Greenlee, I believe it was, who said that you were out of the Klan during the period of your probation, as an indication on his part that the Klan felt that you were too hot to handle and that you might embarrass them in some way?

Mr. WILSON. No, sir, I—

Mr. SENNER. Or was it because of some oath or requirement on the part of the Klan?

Mr. WILSON. I don't remember anything in the oath about that. I don't know about me being all that hot to handle, or anything like that, but at this time, that he told me, it didn't make me mad. I mean, I was—

Mr. SENNER. In other words, you wanted out anyway.

Mr. WILSON. That is right.

Mr. SENNER. But the point is, what did he say to you in regard to being out of the Klan during the suspended sentence?

Mr. WILSON. Well, sir, he said that they had had a meeting, sometime, while we were in, or right after we were released, and it was decided that for the period that we were on this deal that we got here that we would be suspended from the Klan, for 5 years.

Mr. SENNER. Did he give you any specific reason why?

Mr. WILSON. No, sir.

Mr. SENNER. I am going to turn it over to my colleague, Mr. Buchanan.

Mr. APPELL. Mr. Senner, if I might comment on the questions that you asked, it is the public pronouncement of the Imperial Wizard of the United Klans of America, Robert Shelton, that if any Klansman is arrested that he is suspended and then after conviction, if he should be convicted, he is then supposed to be banished.

Mr. Shelton does this in order to try to emphasize that his Klan is a nonviolent organization.

Mr. SENNER. I agree with you, Mr. Appell, that this is his public statement, but I don't believe the Imperial Wizard, Mr. Shelton.

But I would like to state, too, what the chairman said, that if anybody molests you or your family, let this Congress know, please.

Mr. WILSON. Yes, sir.

Mr. BUCHANAN. Mr. Wilson, in your opinion, were you suspended because you committed the act which you were assigned in a Klan meeting, or because you were apprehended and convicted?

Mr. WILSON. In my own opinion, the reason I was suspended—and here, again, I would like to point out I think they used the wrong word

in this by saying that I was suspended, I think what he meant was, I was out. However, that is not the word that he used—was because I went up there before the judge and I said that I was guilty, and I took all my medicine.

The CHAIRMAN. In other words, it is your idea that what really caused your suspension was not so much that you had performed these acts, but that you had freely talked about them.

Mr. WILSON. That is right.

Mr. BUCHANAN. Thank you.

The CHAIRMAN. I am inclined to agree with you.

Mr. SENNER. Me, too.

Mr. BUCHANAN. Me, too.

The CHAIRMAN. Anything else?

Mr. APPELL. Mr. Chairman, I would like the record to show that following the drawing of the slips from the hat on the night of September 1st that there were five series of bombings or five separate bombings which took place in the McComb area on September 7th. 6 days later, and I wish the record also to show that while Mr. Wilson has no provable knowledge, first-hand knowledge in some of the acts engaged in by Klansmen, that in executive session Mr. Wilson has given us the full benefit of understandings that he has in these other matters.

Mr. SENNER. Don, I might add, weren't there five slips drawn from the hat, too, on that day?

Mr. APPELL. Yes, sir.

Mr. SENNER. There is a coincidence.

Mr. POOL. I want to reiterate that the record should show Mr. Billy Wilson has been very cooperative with our staff, at the executive session and here today in the public session.

The CHAIRMAN. I will say again that, in my opinion, nothing will happen to you, but the Federal law we talked about says that if anything should happen to you, you have the protection of that law, you or members of your family. I don't think the law would make any sense if it didn't say that. I haven't read it specifically with that in mind, but if anything happens to you, the child, your wife, your parents, or anyone because of your appearance, just let us know.

Mr. POOL. And that includes threats, also.

The CHAIRMAN. All right?

The committee will stand in recess until February 1, and may I say in that connection there are a number of reasons for that. In the first place, we, the members of this committee, are members of other committees. Bills are being, or certainly will shortly be, referred to these other committees. Some of them have not thus far even reorganized, committee-wise, I am talking about, for this second session. and then more immediately, we understand, or I understand, that certain measures will be coming up on the floor during that period of time, including contempt citations for which this committee will have to prepare, and in addition thereto, simply as an example, I have to appear, I think this week—tomorrow, I believe—before the House Administration Committee in connection with matters involving this committee.

It is a question of things going on, the business of Congress, the business of the Members, committee membership, and so on.

I thought I should explain that before questions are asked as to the reasons why we are now standing in recess until February 1. In the meantime, of course, investigation continues at all times, whether we are meeting or not meeting.

Things have to be verified, evidence has to be gathered, our committee investigation methods have to be tested, but all those things go on. That doesn't mean to say that our staff and the members will not have their hands full during that period.

So the committee stands in recess until February 1 at 10 a.m.

(Members present: Representatives Willis, Pool, and Buchanan, of the subcommittee, and also Representative Senner.)

(Whereupon, at 12:35 p.m., Tuesday, January 18, 1966, the subcommittee recessed, to reconvene at 10 a.m., Tuesday, February 1, 1966.)

ACTIVITIES OF KU KLUX KLAN ORGANIZATIONS IN THE UNITED STATES

Part 3

FRIDAY, JANUARY 28, 1966

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities, as reconstituted for the January 28 hearing, met, pursuant to recess, at 2:20 p.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; George F. Senner, Jr., of Arizona; and John M. Ashbrook, of Ohio.)

Subcommittee members present: Representatives Willis, Senner, and Ashbrook. Also present, Representative Buchanan.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Philip R. Manuel, investigator.

The CHAIRMAN. The subcommittee will come to order.

As chairman of the full Committee on Un-American Activities, I hereby constitute, as a subcommittee for the purpose of this afternoon's hearing, the following: Myself as chairman, Mr. Ashbrook, of Ohio, and Mr. Senner, of the State of Arizona, meaning that from here on two of the three will constitute a quorum.

We now have a quorum of the regular subcommittee so we are over-quorumed.

Mr. MANUEL. Mr. Chairman, the staff would like to call at this time Mr. George Williams.

The CHAIRMAN. Please raise your right hand. Do you solemnly swear, sir, that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILLIAMS. I do.

TESTIMONY OF GEORGE LEONARD WILLIAMS

Mr. MANUEL. Mr. Williams, your full name for the record, please?

Mr. WILLIAMS. George Leonard Williams.

Mr. MANUEL. Mr. Williams, when and where were you born?

Mr. WILLIAMS. In Lenoir County, Kinston, North Carolina.

Mr. MANUEL. What date, sir?



Mr. WILLIAMS. November 29, 1965.

Mr. MANUEL. Are you appearing before the committee this afternoon in response to a subpoena served upon you by committee Investigator Neil Westerman on the 29th of January, 1965?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. Mr. WILLIAMS, I see you have no lawyer.

Mr. WILLIAMS. No, sir.

The CHAIRMAN. Do you desire a lawyer?

Mr. WILLIAMS. No, sir.

The CHAIRMAN. Now, I must tell you that the rule of this committee is that, whether or not one has a lawyer, he is entitled, if he wants to, to invoke the fifth amendment. Do you understand that?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. You have that right if you want it.

All right, proceed.

Mr. MANUEL. Mr. WILLIAMS, are you currently a resident of the city of Greenville, North Carolina?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Have you ever been a member of the Realm of North Carolina of the United Klans of America?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Will you please tell the committee when you first joined the United Klans of America in North Carolina?

Mr. WILLIAMS. I joined the Klan July 28, 1965.

Mr. MANUEL. How did you happen to become a member of the Realm of North Carolina UKA?

Mr. WILLIAMS. I was at a rally that was held in Farmville and I obtained an application card there and filled it out and handed it in to the Klavern.

Mr. MANUEL. Mr. WILLIAMS, why did you join the United Klans of America?

Mr. WILLIAMS. In the speeches that was made at the rally, the Klan was out for politician reasons, you know—men in office work to get the color and all out of the schools and kind of work to—get the colored out of the schools and keep the races from mixing and kind of hold down the colored from mixing in the South.

Mr. MANUEL. Are you currently a member of the United Klans of America or any other Klan organization in the State of North Carolina?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. When did you sever your membership in the United Klans?

Mr. WILLIAMS. About mid-November.

Mr. MANUEL. So then you were a member, an active member of the United Klans of America from approximately July 28 until mid-November of 1965; is that correct, sir?

Mr. WILLIAMS. That is right, sir.

Mr. MANUEL. Now, what unit of the Realm of North Carolina United Klans of America, did you have membership in?

Mr. WILLIAMS. Unit 53, the Benevolent Association.

Mr. MANUEL. The Klavern was called the Benevolent Association?

Mr. WILLIAMS. Well, when I got in it was called Pitt County Christian Fellowship Association.¹

Mr. MANUEL. And it was also known as the Benevolent Association?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. The unit designation was what, sir? What number?

Mr. WILLIAMS. Fifty-three.

Mr. MANUEL. How long did you remain a member of that particular Klavern?

Mr. WILLIAMS. Until October 1st.

Mr. MANUEL. 1965?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Where was that Klavern located, sir?

Mr. WILLIAMS. Three miles east of Greenville at a place known as Port Terminal in a building that was unoccupied.

Mr. MANUEL. From approximately October 1965 until you severed your membership in the Klan, did you belong to another Klavern or another unit of the Realm of North Carolina, United Klans of America?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you please identify that unit?

Mr. WILLIAMS. I belonged to Unit 162 at Pactolus just east of Greenville, a kind of a crossroads place with the name, and the name was Pactolus Hunting Club.

Mr. MANUEL. So during your membership in the Klan you were a member of two separate Klaverns?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. One known as the Benevolent Association in Greenville, North Carolina, and the other known as the Pactolus Hunting Club in Pactolus, North Carolina; is that correct, sir?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Going back to July 28, 1965, when you first joined the United Klans, will you please tell the committee how you obtained membership in the Klan?

Mr. WILLIAMS. I obtained this card and I had it sent in to the unit. They passed on it a week and the following week they asked me to come in.

Mr. MANUEL. Were you initiated at a meeting of the Klavern?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you pay an initiation fee or a klectokon, as it is known in the Klan?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. How much was that, sir?

Mr. WILLIAMS. Ten dollars.

Mr. MANUEL. Do you know where that money went after you paid it?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. To whom did you pay that?

Mr. WILLIAMS. Harry Ferguson.

Mr. MANUEL. Will you please identify for the committee Mr. Harry Ferguson?

Mr. WILLIAMS. He was the klokard in the Klavern. He was the man who swore us in.

¹ Pitt County Independent Christian Fellowship Association.

Mr. MANUEL. That is an officer in the Klavern known as the klokan or the conductor; is that correct, sir?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you take any oaths as a member of the Ku Klux Klan?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Who administered your oath to you?

Mr. WILLIAMS. Mr. Ferguson.

Mr. MANUEL. Mr. Williams, I'd like to show you a series of oaths which committee investigation has revealed the oath to be administered to members of the United Klans of America and ask you if you took this oath to become a member of the United Klans of America?

Mr. WILLIAMS. Yes, sir, it is the same.

(Document previously marked "Robert Shelton Exhibit No. 4.")

Mr. MANUEL. Prior to taking that oath, Mr. Williams, did anyone explain to you the content of the oath or in any way let you know what oath you would be taking?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. In other words, you took the oath by just raising your right hand and swearing after the gentleman who gave you the oath?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. After taking the oath, did you subsequently learn what the oath meant?

Mr. WILLIAMS. No, sir. I just listened to him read and held up my hand and swore "I do," when he was through reading.

Mr. MANUEL. In practical terms, Mr. Williams, during your period of membership in the United Klans of America, in your own words, what did this oath bind you to?

Mr. WILLIAMS. Well, we was supposed to put death before us before we revealed any secrets of the Klan.

Mr. MANUEL. Now, by secrets of the Klan, sir, could you explain to the committee what you mean by that?

Mr. WILLIAMS. That is whatever went on in the Klavern at meetings.

Mr. MANUEL. Including membership and activities?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Was any part of this oath explained to you in terms of what would happen if you violated the oath?

Mr. WILLIAMS. After we were sworn in there, they had what is a runner between the man who was swearing us in and the inside. He would go in. He went in and they cut the lights off in the Klavern excepting one little light right over the officer and the cross. They had a cross made of wood with lights on it, red lights, and we were led into and around the desk in front of the officer and he stood up and explained that we were now members of the Invisible Empire and that "we believe in not revealing no one's name in here; we leave it up to you to reveal if you are a member." And he reached over and had a strap this long with a handle on the end of it and it had——

Mr. MANUEL. Was it a whip?

Mr. WILLIAMS. It was a strap with a handle on it, like a paddle. A thick leather strip about that thick and he said, "This is to remind

them that we do not have no name revealing outside of this building for what goes on here."

Mr. MANUEL. And again who was that person whom you are describing now talking to the prospective members?

Mr. WILLIAMS. EC. He was the EC.

Mr. MANUEL. What was his name, sir?

Mr. WILLIAMS. Carl Manning.

Mr. MANUEL. Can you name for the committee the other officers in the Klavern which you joined? That is Unit 53 in Greenville known as the Benevolent Association?

Mr. WILLIAMS. Yes, sir. Carl Manning is the EC.

Mr. MANUEL. EC is exalted cyclops; is that correct, sir?

Mr. WILLIAMS. Yes, sir; and the assistant was Marvin Strickland. The klokard was Harry Ferguson and the investigator, I do not know his first name, but his last name was Edwards. He worked with the Forestry Service.

The CHAIRMAN. Of the State or the Federal Government?

Mr. WILLIAMS. The State.

That was what we called the investigator.

And the inner guard, I can't think of who he was. The outer guard was the Robuck boy.

Mr. MANUEL. Do you know his first name?

Mr. WILLIAMS. Gene Robuck, I think.

Mr. MANUEL. The outer guard, was who?

Mr. WILLIAMS. The outer guard, I don't remember his name, but I know that the security guards worked as the outer guards and David Bunting was the captain.

Mr. MANUEL. He was the captain of the security guards?

Mr. WILLIAMS. At that time.

Mr. MANUEL. Who was the treasurer?

Mr. WILLIAMS. Louis Tyson.

Mr. MANUEL. Who was the secretary?

Mr. WILLIAMS. John Twel.

Mr. MANUEL. Now, at this time, Mr. Williams, did you have a State officer who was affiliated with your Klavern?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What was his name?

Mr. WILLIAMS. His name was Charlie Edwards. He was a policeman of Grimesland. That is a town 11 miles east of Greenville.

Mr. MANUEL. What office did he hold within the State structure of the Realm of North Carolina UKA?

Mr. WILLIAMS. He always told us at every meeting he attended that he was our State officer. He was kind of in charge of the security guard.

Mr. MANUEL. Did you ever hold any office yourself in this Klavern, Mr. Williams?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Did you ever hold an office in the second Klavern which you joined, the Pactolus group?

Mr. WILLIAMS. I was the assistant treasurer and was there every night excepting one.

Mr. MANUEL. We will get to that just a bit later.

Did you purchase a robe as a Klansman?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Do you know of members in your unit who did purchase robes?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you tell the committee from what source the robes came?

Mr. WILLIAMS. The robes came from Bob Jones. They picked them up at rallies. He would bring them there in his truck.

Mr. MANUEL. Would you identify Bob Jones for the committee?

Mr. WILLIAMS. He is the Grand Dragon of North Carolina.

Mr. MANUEL. As a member of the United Klans, you knew him to be the Grand Dragon of the Realm of North Carolina; is that correct, sir?

Mr. WILLIAMS. That is correct.

Mr. MANUEL. Was he the Grand Dragon of the Realm of North Carolina at the time you left the United Klans of America?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What price was paid to Mr. Jones for the robes which were purchased from him by members of the Realm of North Carolina?

Mr. WILLIAMS. They had a satin robe, what they called a satin robe was \$15. They had a cotton robe that went at \$10.

Mr. MANUEL. As a member, did you have any idea where Mr. Jones obtained the robes or the material to make the robes?

Mr. WILLIAMS. No, sir; I do not.

Mr. MANUEL. Was money for the robes paid directly to Mr. Jones?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. To whom was the money paid?

Mr. WILLIAMS. The treasurer of the Klavern.

Mr. MANUEL. And what did he do with the money?

Mr. WILLIAMS. I don't know, sir.

Mr. MANUEL. As a member of the Realm of North Carolina, did you pay dues?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. How much were the dues per member?

Mr. WILLIAMS. \$2 a month.

Mr. MANUEL. Was it ever explained to you what happened to these dues once they were paid by the membership?

Mr. WILLIAMS. Only one time I asked Louis Tyson what went with the dues that we paid in and he said that most of it went to the State office.

Mr. MANUEL. Was there ever any accounting made of the money within the Klavern that the Klavern collected in the form of dues or initiation fees or other sources of income?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Never any accounting.

Mr. WILLIAMS, have you ever heard of an organization known as the Alabama Rescue Service?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. In other words, all during the period of your membership in the United Klans of America, you never knew of the existence of the Alabama Rescue Service; is that correct?

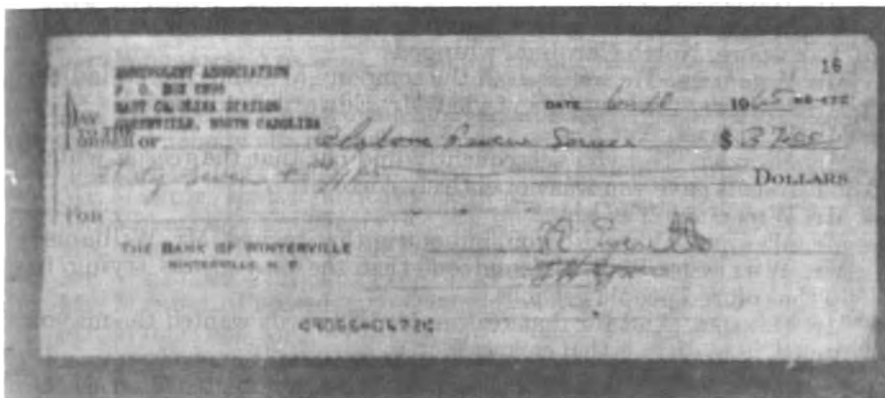
Mr. WILLIAMS. No, sir, we never heard.

Mr. MANUEL. Mr. Chairman, I would like to point out at this time that the committee has subpoenaed the bank account of the Benevolent Association, which is the Klavern to which Mr. Williams belonged in Greenville, and we have found that from April 7, 1965, until some date in September 1965, that the Greenville Klavern paid to the Alabama Rescue Service, which is the cover name of the national headquarters of the United Klans of America, paid them the amount of \$301.25. I point this out, sir, for the record, and I ask Mr. Williams if to his knowledge any of the members of the Klavern, other than the officers who signed these checks, knew of the existence of the Alabama Rescue Service and the fact that their money was being directed to that organization?

Mr. WILLIAMS. No, sir; we never heard of it mentioned on the floor.

(Checks marked "George Williams Exhibit No. 1." One of said checks follows; balance retained in committee files.)

GEORGE WILLIAMS EXHIBIT NO. 1



Mr. MANUEL. I would also like to point out for the record, Mr. Chairman, that the signatures on the checks which we have obtained by subpoena are those of R. E. Everett, L. H. Tyson, and in some cases Carl M. Manning.

Did you know Mr. R. E. Everett to be a member of the Klan?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you know him to be an officer of that Klavern?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. You have identified Mr. Manning as the exalted cyclops and Mr. Tyson as the treasurer; is that correct, sir?

Mr. WILLIAMS. That is right.

Mr. MANUEL. Now, Mr. Williams, shortly after you became a member of the Greenville Klavern, were you asked to perform, or were you assigned to perform, an act of violence in the town of Vanceboro, North Carolina?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Would you please tell how this assignment was made and what the circumstances were in the assignment being made?

Mr. WILLIAMS. Well, Charlie Edwards, which was the State officer at that time, came into the Klavern the second week that I was in the Klavern. The second meeting that I ever went to.

Mr. MANUEL. Would that be around August 5, 1965?

Mr. WILLIAMS. Yes. He picked eight of us along the row and he said first to come over in the corridor, that he wanted to talk to us. We went over there and he explained to us. He said, "Now, I want the mayor of Vanceboro taken out and whipped."

He said, "Now, if you don't do this, I will know of it."

He said, "I don't want to know when you are going. Work that out among yourselves, or how you do it, but I don't want to know when you go, but I want him whipped."

Mr. MANUEL. Did Mr. Edwards include himself in the group that would go down to Vanceboro?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. And he picked eight members from the Klavern: is that correct, sir?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Did he give a reason as to why he wanted the mayor of Vanceboro, North Carolina, whipped?

Mr. WILLIAMS. He was seen in the company of some colored ladies.

Mr. MANUEL. At least this is what Mr. Edwards told you?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you subsequently find out that the reason which Mr. Edwards gave you was not entirely correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What did you find out in that regard, Mr. Williams?

Mr. WILLIAMS. Well, I found out that the mayor was trying to help the colored people get jobs.

Mr. MANUEL. And for that reason, Mr. Edwards wanted the mayor whipped, in reality; is that correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you later find that out to be true?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Did the eight persons picked by Mr. Edwards subsequently go to Vanceboro to beat the mayor?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you please tell the committee what happened?

Mr. WILLIAMS. We went into Vanceboro and changed our minds and come back.

Mr. MANUEL. For what reason did you change your mind?

Mr. WILLIAMS. We were scared.

Mr. MANUEL. Of the eight persons—seven others—did any of them leave the Klan as a result of this incident?

Mr. WILLIAMS. Two that I know of never came back.

Mr. MANUEL. Did Mr. Edwards have any comment after you came back, not having carried out his assignment?

Mr. WILLIAMS. No, sir; I didn't see him any more about it.

Mr. MANUEL. And why was this?

Mr. WILLIAMS. The next week we were going to Plymouth.

Mr. MANUEL. That is Plymouth, North Carolina; is that correct?

Mr. WILLIAMS. Yes.

Mr. MANUEL. You say you were going to Plymouth. Why did you go to Plymouth?

Mr. WILLIAMS. The first night I went to Plymouth was at a rally. That was along the first of August when we started going to Plymouth. Then after this incident at Vanceboro, I was called one night about 1 o'clock in the morning and told to meet at the Klavern.

Mr. MANUEL. Who called you, sir?

Mr. WILLIAMS. Louis Tyson.

Mr. MANUEL. And he was the treasurer of the Klavern?

Mr. WILLIAMS. Yes.

Mr. MANUEL. What did he say to you at that time?

Mr. WILLIAMS. He said, "Get up and come on out to the Klavern. We are needed." And so I got up and went out to the Klavern.

Mr. MANUEL. Did you ask him any other questions at that time?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. You just got up and went when he called you?

Mr. WILLIAMS. Yes.

Mr. MANUEL. And that was at 1 o'clock in the morning; is that correct?

Mr. WILLIAMS. Yes.

Mr. MANUEL. What happened when you met?

Mr. WILLIAMS. I got to the Klavern, and there was two men out there, and nobody else came for a few minutes, so we decided we would go back across the river to Mr. Tyson's office, which is a J.P.'s office.

Mr. MANUEL. He is a justice of the peace?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. In Greenville?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Proceed, sir.

Mr. WILLIAMS. And before we got to his office we come across a lot of cars parked out there, directly off from the airport, Grimesland, and so we pulled them down and asked where they were meeting at. So we all got on cars there and went to Plymouth.

Mr. MANUEL. Before you proceed, did Mr. Tyson give you any explanation at that time as to if anyone had an assignment to call the members of the Klan?

Mr. WILLIAMS. He said the chief, that is what they call Mr. Edwards at that time because he was the chief of police in Greenville, and he said the chief and Mr. Ferguson was at Plymouth and called him that we were needed at Plymouth. So we all got on cars and went to Plymouth.

Mr. MANUEL. Did he explain to you why you were needed in Plymouth?

Mr. WILLIAMS. No, he didn't.

Mr. MANUEL. For what purpose did you go to Plymouth?

Mr. WILLIAMS. They were having demonstrations down there, and we were going down to stop the demonstrations.

Mr. MANUEL. When you say "they were having demonstrations," could you identify for the committee whom you mean by "they"?

Mr. WILLIAMS. The colored people were having demonstrations in Plymouth at that time.

Mr. MANUEL. And you say that Mr. Edwards or Mr. Ferguson were the ones who called the Klansmen into Plymouth?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Did you ever find out from Mr. Ferguson where he was getting his information as to the demonstrations?

Mr. WILLIAMS. He told us that a policeman, a friend of his, was calling him from Plymouth and notifying him.

Mr. MANUEL. Do you know the identity of that policeman?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. How many separate times, Mr. Williams, beside the rally which you told us about, did you go to Plymouth to participate as a Klansman in the demonstration?

Mr. WILLIAMS. Three.

Mr. MANUEL. Can you explain to the committee what happened on the first trip concerning the demonstrations?

Mr. WILLIAMS. We went into the edges of Plymouth at a little cafe, a drive-in cafe, and we were met by Mr. Ferguson and Mr. Edwards, and they told us to go back to the edge of town and wait, and either them or this policeman would notify us.

Mr. MANUEL. Were members of the Klan armed at that time?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Were you yourself armed?

Mr. WILLIAMS. Not at that time; no.

Mr. MANUEL. Were you given a weapon?

Mr. WILLIAMS. Not on that trip.

Mr. MANUEL. Not on the first trip?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. At that time did any persons known to you to be members of the Klan make use of citizens band radios to effect communications between Klansmen?

Mr. WILLIAMS. No, sir; not at that time, but they tried to reach some of them but they couldn't reach anybody.

Mr. MANUEL. On your first trip into Plymouth, did Mr. Ferguson specifically tell you why he had ordered Klansmen into Plymouth?

Mr. WILLIAMS. Yes, sir. He said that we were called in there, that they were going to deputize us, and that we were going to stop the colored one way or the other.

Mr. MANUEL. Did you or any other Klansmen, to your knowledge, become deputized at any time?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Did you return to Greenville after your first trip to Plymouth?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. How long after that, sir, did you go back?

Mr. WILLIAMS. About a week.

Mr. MANUEL. And who notified you to make the return trip?

Mr. WILLIAMS. Louis Tyson.

Mr. MANUEL. On these trips, Mr. Williams, did you observe Klansmen from other parts of North Carolina other than Greenville?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Were these persons residents of Plymouth?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. On your trips to Plymouth, would you please tell the committee, to the best of your knowledge, how many Klansmen were involved in Plymouth during these demonstrations during the month of August 1965?

Mr. WILLIAMS. Well, I couldn't say how many was in, but the night that I was in Plymouth on the last trip over there I would say there was around a thousand.

The CHAIRMAN. How many?

Mr. WILLIAMS. A thousand.

Mr. MANUEL. Of those thousand Klansmen, to the best of your knowledge, how many were residents or active members in Plymouth?

Mr. WILLIAMS. About 25 or 30, I would say.

Mr. MANUEL. So out of the thousand, then, there were approximately 970 to 975 who had come from outside the Plymouth area?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Do you happen to possess knowledge as to how they happened to be in Plymouth?

Mr. WILLIAMS. They were called in by Mr. Ferguson.

Mr. MANUEL. Did Mr. Edwards participate in that?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. During your first two trips to Plymouth to engage in these demonstrations as a Klansman, were there any acts of violence known to you to have occurred?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. What were the activities of the Klansmen, and specifically yours, in Plymouth?

Mr. WILLIAMS. Well, on the second trip we went over there, on both trips, we were met at this same cafe and was told to go back to the edge of town and wait at the city limits, outside the city limits. The first two times.

Mr. MANUEL. I see. Were you told or ordered to do anything, carry out any action?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Was there any agitation on the part of the Klan directed against those who were demonstrating?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Did you return to Greenville after your second trip into Plymouth?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And how long did you remain in Greenville before coming back to Plymouth?

Mr. WILLIAMS. I left Plymouth about 5 o'clock in the morning, and I got home and I worked that day, and I went back that night because Mr. Ferguson and Mr. Edwards told us that all stay who could because we would be needed in Plymouth if they did start the marching. He made the remarks that the colored had said they were going to make another Los Angeles out of Plymouth.

Mr. MANUEL. That was told to you by whom?

Mr. WILLIAMS. Mr. Ferguson and Mr. Edwards. So they said they that didn't have to go back to work, to stay, and what did to go back and come back that night.

Mr. MANUEL. What happened on your third trip into Plymouth?

Mr. WILLIAMS. I was shot.

Mr. MANUEL. Would you describe to the committee how you were shot, under what circumstances?

Mr. WILLIAMS. When we went on into Plymouth that night, and we went out and stopped first at the cafe, there was around 75 to maybe a hundred Klansmen at this cafe. And as we come by the city limits, there were some parked in this area where we had been parking the time we had been before. So we stopped at this cafe a while, and these boys that was with me had never been into Plymouth, so they said, "Let's ride up into town and see what is going on, and then we will ride through." So we rode up into town, and after we got into town we saw other men up there I knew was in the Klan, so we just parked our car by the courthouse and walked one block down and into the doorway of a store on the corner. We had been there about 15 minutes when there was a bunch of colored men come walking down the street. As they crossed the street and got on the corner, five or six white men and women were behind them, kind of heckling them, and as they got right along by us this colored man reached down in his sock and come out with a gun, and as he pulled the gun it fell over on the street by the light meter. He dropped on his knees, and when he come up with the gun he started firing across the street, and then the boys run that was with me, and he turned around and fired at them when they went around the corner. And his back was to me then, and I knew if he ever turned or if somebody didn't stop him, some innocent people was going to get hurt because they had children on there, and there was women and all. So I thought I could jump him while his back was to me, and I lunged, and as I lunged he fired and hit me in the stomach.

Mr. MANUEL. He hit you?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Were you seriously wounded?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Mr. Williams, I would like to show you a clipping, or a copy of a clipping from the Raleigh, North Carolina, *Times*, dated September 1, 1965, and in this article one passage says: "George Williams, 45, of Greenville, 50 miles away, was shot in the abdomen," and in another instance, "Clarence McCoy Adams, 27, of Pink Hill about 100 miles from Plymouth was knifed in the side."

I show you this article and ask you if you are the George Williams referred to in that?

(Document handed to witness.)

Mr. WILLIAMS. Yes, sir.

(Document marked "George Williams Exhibit No. 2" appears on p. 2879.)

Mr. MANUEL. Did you know Mr. Clarence McCoy Adams?

Mr. WILLIAMS. Only as of that night.

Mr. MANUEL. Did you know him to be a member of the Klan?

Mr. WILLIAMS. He told me he was not a Klansman, but his father and some of the Klansmen from Jones County come in and they told me they were Klansmen.

Mr. MANUEL. I see. Now, Mr. Williams, did you have occasion to know that after you were shot, wounded, Grand Dragon Jones made

**Police Hold 4 in Plymouth
After Last Night's Clash;
Rights Marches Are Barred
Police Chief Blames Klan for Night Violence**

By REESE HART
Associated Press Writer

PLYMOUTH—Police arrested two heavily armed men and a civil rights worker today as officers kept a close watch on this tense North Carolina town where racial violence has flared twice within a week.

Today's arrests brought to five the number of persons charged by police since two white men and two Negroes were wounded in a street fight with Negroes Tuesday night. Police put a ban on all demonstrations until tensions eased.

Police identified the armed white man as Jimmy Wayne Curling, 24, of Plymouth and George Brown Whitaker, Rt. 1, Washington. They were charged with carrying knives and three pistols to "terrorize people." Curlings also was charged with carrying a concealed weapon.

Free on Bond

The two were given a hearing this morning and were released on bonds of \$300 each.

The civil rights worker, also white, was identified as Mike Farley, an 18-year-old white youth from San Francisco.

Police said Farley was leading a group of children, toward the Washington County Courthouse. He was carrying a placard saying: "Redeem Southern Politics."

Police said Farley was charged with breaking a new ordinance adopted Tuesday by the Town Council. It bans marches between 6 p.m. and 6 a.m. and requires a permit for demonstrations of any type at any time.

(United Press International)

sault with intent to kill. A preliminary hearing was scheduled for him Sept. 7 in Washington Recorder's Court.)

Authorities blame the current tension on the Ku Klux Klan and persons from other towns.

Thursday night

Negro leaders said they did not know when or if the march in Plymouth would resume. They did say they planned to picket the Washington County courthouse in Plymouth protesting the pace of voter registrations.

Schools in the Plymouth area were integrated last week. State troopers and other officers were in Plymouth to preserve order.

Tuesday night after a scheduled march was called off because of the explosive situation between the races.

Shooting, Knifing

George Williams, 45, of Greenville, 50 miles away, was shot in the abdomen. Clarence McCoy Adams, 27, of Pink Hill, about 100 miles from Plymouth was knifed in the side.

Col. David Lambert, commander of the North Carolina Highway Patrol, said both are in good condition at the Washington County Hospital.

Police apprehended two Negroes after the fracas. A Police Department spokesman, who declined to identify the suspects, said they were being questioned and no charges had been filed.

Witnesses told police seven Negroes were walking down Main Street together when a group of whites moved in behind them. One of the Negroes

pulled a pistol from beneath his trouser leg and fired wildly toward the whites, they said. The Nearnes then fled but

Mayor W. R. Flowers announced postponement of Tuesday night's march after a 40-minute meeting with Negro leaders, including Frinks and Floyd McKissick of Durham, chairman of the Congress of Racial Equality.

a statement to the Governor of North Carolina and also made a statement to the press that the man who was shot in Plymouth was not a Klansman?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. I show you a press clipping from the Raleigh, North Carolina, *Times*, dated September 2, 1965, and I quote from one paragraph of that clipping: "He," referring to Jones, "said two white men injured in street fighting there Friday night were not Klan members."

I show you this, Mr. Williams, and ask you whether, to your recollection, that statement is correct as far as Mr. Jones is concerned?

(Document handed to witness.)

Mr. WILLIAMS. Yes, sir. He made the statement the next day after I was shot, on television, and this was in the next morning's paper.

(Document marked "George Williams Exhibit No. 3" appears on p. 2581.)

The CHAIRMAN. On television he said the two men——

Mr. WILLIAMS. I was not affiliated with the Klan.

The CHAIRMAN. Yes.

Mr. MANUEL. At that time you were a member of the United Klans of America. Is that correct, sir?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And you were ordered to Plymouth by persons known to you to be officials in the United Klans of America, Realm of North Carolina. Is that correct, sir?

Mr. WILLIAMS. Yes.

Mr. MANUEL. And also pictured on that article, Mr. Williams, along with Grand Dragon Jones are Boyd Hamby and George Dorsett. Would you please tell the committee who those two individuals are?

Mr. WILLIAMS. The Reverend Dorsett was the chaplain of the Klavern, and the day that I was in court in Plymouth—I had known Boyd Hamby had been seen a lot with Bob Jones, but the day I was in court I found out he was the grand night-hawk of the Ku Klux Klan.

Mr. MANUEL. Did you also know Reverend Dorsett to be a grand officer of the Realm of North Carolina?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Now, Mr. Williams, subsequent to Mr. Jones making this statement, did you have occasion to personally meet Mr. Jones?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you describe to the committee the circumstances under which you met Mr. Jones?

Mr. WILLIAMS. The first day I was in court in Plymouth—I was subpoenaed as a witness over there against the colored fellow which had been charged for assault with a deadly weapon. The first day I was in court there, I left after court and went out to the edge of Plymouth to the rally site. They were going to have a rally at Plymouth at night. I went out in this pasture where the site was, and Bob Jones and Boyd Hamby came up to my car and said, "Whose car?" I said, "This is mine." He said, "Let's ride some." And so we got in the car and left.

Mr. MANUEL. And what conversation took place, Mr. Williams, between yourself and Mr. Jones while you were in the car?

GEORGE WILLIAMS EXHIBIT NO. 3

[Raleigh, N.C., Times, Sept. 2, 1965]



GRAND DRAGON JONES

... Flanked by George Hamby and Rev. George Dorsett (Staff Photo) ...

Jones, After Seeing Moore; Says Klan Not Cause of Crisis

By SHEILEY MUDGE
Times Staff Writer

All Ku Klux Klansmen who do not live in Plymouth have been ordered to stay out of that strife-torn community by the Grand Dragon of their organization.

Robert W. Jones, head Klansman in the State, said following a 20-minute meeting with Governor Moore today that Klansmen have not been involved in the violence in Plymouth in recent days.

Jones said he issued an order last Friday to Klan members from other areas to stay out of Plymouth.

The Grand Dragon said that his half-hour conference with Moore was beneficial because it resulted in a greater understanding between the two about what each is attempting to do.

Jones said he asked Moore about a statement recently attributed to Dr. Martin Luther King to the effect that Plymouth may become another Selma or Los Angeles which the world will long remember.

He said the Governor assured him this would not be the case.

Jones went into the conference with a list of prepared questions. He was accompanied by Rev. George F. Dorsett and Gordon Hamby, both leaders in his organization.

He said he first asked the Governor how the State will and the street demonstrations

See Klansmen, Page 3

Klansmen Told Stay Out of Town

Continued From Page One
without giving special privileges to the Negro citizens of Plymouth, but he said he got no answer.

Jones said he then asked the Governor if the Klan could do anything to help the situation and was asked by Moore to abide by the law.

Jones said he replied: "We have done that."

The Klan chief said he asked Moore, too, if the Klan had been found by the Attorney General's office to be a legal fraternal organization and was assured it is.

In answer to reporters' questions, Jones denied his organization is becoming "more politically oriented" but admitted he has been speaking in opposition to Rep. Harold Cooley.

Asked if he would support any candidate opposing Cooley he said he would have to know who the candidate would be but he said he probably would support Jim Gardner of Rocky Mount were he to challenge Cooley again.

In summing up his meeting with the Governor, Jones said: "We both agreed that we deplored violence."

He said the Governor doesn't like some members of the Klan but Jones agreed he has some members "I'd do better without." And he said he plans to

get rid of some of them "as soon as I can."

Jones declined to name any of the members with whom he is dissatisfied.

The Grand Dragon said he expects to go ahead with plans for a rally in Washington County Oct. 13. He said he does not expect the rally to incite further violence.

Asked specifically if he would consider calling the rally off if the Governor should request him to, he said he probably would.

Questioned about statements by civil rights leaders that they will demonstrate wherever Klan rallies are held, Jones challenged the Negroes to keep up with the Klan.

"If they follow us around for 30 days they'll be too tired to demonstrate," Jones said, explaining that he has been rallying for 30 consecutive nights.

As he answered reporters' questions Jones reiterated from time to time his contention that no Klansmen were involved in the violence at Plymouth.

He said two white men injured in street fighting there Friday night were not Klan members.

Jones was in Plymouth that night and said he did not see any street fighting. He said he read in The News and Observer reports of a clash between Negroes and Klansmen but that he did not see any such fight.

Jones declined to say how many Klansmen live in the Plymouth area.

Jones got an unpleasant welcome to Raleigh this morning.

Police cited him with exceeding 35 miles per hour in a 35 mile zone on Glenwood Avenue near Cleveland Street. A radar unit stationed at that point made the stop, police said.

Jones was en route to his conference with Governor Moore. He told reporters later this morning he had "every intention of fighting the charge in court."

Mr. WILLIAMS. Well, he told me that he wanted to go down to the county line towards Washington to see if the highway patrol was checking cars. We rode to the county line and turned around. There was no highway patrolmen at the county line. We got back to the edge of Plymouth and he said, "Now we want to go to the county line towards Williamston," and I took him down that road.

Mr. MANUEL. What did he say to you at that time?

Mr. WILLIAMS. He got into discussion with me being shot in Plymouth, and he said, "I don't know whether they will be after you or not to go up on the committee since they found that you are affiliated with the Klan, but," he said, "if you do, get in touch with me and I will tell you what to do."

Mr. MANUEL. In other words, in discussing the possibility of your being subpoenaed before this committee, Mr. Jones told you at that time that, if you were subpoenaed, you were to contact him and he would tell you what to do. Is that correct?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Did he have any statement to make regarding your Klan membership, which he had denied publicly after the incident in Plymouth?

Mr. WILLIAMS. He said if he had knew of me personally he would have been to see me before now, but he had not knowed me personally.

Mr. MANUEL. But he did know you as a member of the Klan. Is that correct?

Mr. WILLIAMS. Yes.

Mr. MANUEL. At the time he made that statement?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Mr. Williams, I would like to show you another press clipping from the Raleigh, North Carolina, *News and Observer*, dated September 3, 1965, with the headline "Dragon Says 'Bad Ones' Spotlighted," and then this article, one paragraph of which reads as follows:

Questioned by newsmen after the conference, Jones said: "The Governor doesn't like some members of our organization. I have some I could get along better without and I plan to get rid of them as soon as I can."¹

Asked if any Klansmen were in Plymouth during the recent outbursts, Jones said: "There were none in Plymouth that were ordered to go in. I've never ordered anybody to go anywhere. I told all of my people to stay out of there except the ones who lived there."

Mr. Williams, I would like to ask you, as a result of your activities as a Klansman in Plymouth, North Carolina, did any official of the Realm of North Carolina make any investigation? Were you reprimanded in any way by any official of the Realm of North Carolina?

Mr. WILLIAMS. No, sir.

(Document marked "George Williams Exhibit No. 4" appears on p. 2883.)

Mr. MANUEL. Were you questioned at all concerning your activities?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. To your knowledge, was any member of the Klan expelled for activities in Plymouth, North Carolina?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. To your knowledge, did Grand Dragon Jones, prior to the date that you were shot, issue an order to Klansmen to the effect

¹ Committee investigation established that no North Carolina Klansmen were banished because of criminal background or violent nature.

GEORGE WILLIAMS EXHIBIT NO. 4

[Raleigh, N.C., *News and Observer*, Sept. 3, 1965]

Dragon Says 'Bad Ones' Spotlighted

Grand Dragon Robert Jones agreed Thursday with Governor Moore that the Plymouth racial violence has spotlighted some undesirables in the North Carolina Ku Klux Klan.

The Granite Quarry salesman, accompanied by two aides, met with Moore shortly after the Governor had placed part of the blame for the Plymouth strife at the doorstep of "certain members of the Klan."

Doesn't Like Some

Questioned by newsmen after the conference, Jones said: "The Governor doesn't like some members of our organization. I have some I could get along better without and I plan to get rid of them as soon as I can."

Asked if any Klansmen were in Plymouth during the recent outbursts, Jones said: "There were none in Plymouth that were ordered to go in. I've never ordered anybody to go anywhere. I told all of my people to stay out of there except the ones who live there."

Jones, accompanied by Klan Chaplain, the Rev. George Dorsett of Greensboro, and organizer Gordon Hamby of Lexington, said he put this question to Governor Moore: "How will the State end the daily demonstrations at Plymouth without giving special privileges to the colored citizens?"

Moore, he said, "didn't answer it."

Another question to Moore, Jones said, was: "Is there anything the Klan can do to help the situation?" Moore's answer, he said, was: "Abide by the law."

Jones commented: "This we have done."

Negroes Uninvited

Jones was asked about a pledge made Monday by Edenton civil rights leader Golden Frinks to hold a march in the vicinity of every Klan rally. He replied: "They can demonstrate in the road if they want to, but that's my property at the rally site as long as the rally is going on. They'd be uninvited guests there. I think if the Negroes followed us for 30 days they'd be so tired they couldn't demonstrate."

Asked if a Klan rally scheduled for Sept. 13 near Plymouth is still on, Jones said: "Yes,

See KLAN, Page 2

KLAN

Continued from Page One

sir, it certainly is." Moore did not request cancellation of this rally, Jones said, or any others scheduled.

Several rallies are on tap, Jones said, including Henderson on Sept. 8 and Williamston on Sept. 11.

Jones said that reports of a scuffle between Klansmen and Negroes in Plymouth the night of Aug. 26 were false. A number of Negroes reported receiving injuries from a run-in with the Klan.

The Plymouth conflict exploded into gunplay and knife-wielding Tuesday night. One white man was shot and another cut.

"The man who was shot was not a Klansman," Jones said, "and the man who was cut was not a Klansman."

that, as he stated in the press, all of the people were told to get out of there except the ones who lived there?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Now, Mr. Williams, do you have any knowledge of any other act of intimidation or violence performed by persons known to you to be members of the United Klans of America, Realm of North Carolina?

Mr. WILLIAMS. There is a few incidents that was brought, but this was the only one I took part in.

Mr. MANUEL. Do you have knowledge of cross-burnings?

Mr. WILLIAMS. Of two.

Mr. MANUEL. Would you please explain to the committee what your knowledge is in that regard?

Mr. WILLIAMS. Along about mid-September, I mean October. I think it was. I ain't sure of the date. But I went to a meeting at the Pactolus Hunting Club, and they had a cross fixed in the back room, and after the meeting was over Harry Ferguson took five of the men and he went into the back room and talked, closed the door and they talked, and the next morning there was a cross burnt in Mr. John Grier's yard.

Mr. MANUEL. Would you identify for the committee Mr. John Grier?

Mr. WILLIAMS. He was a real estate rental man in Greenville, and they claimed he was the cause of them selling the first house to a colored family in the white section of the town.

Mr. MANUEL. Did you see that cross in the Klavern prior to the burning?

Mr. WILLIAMS. I saw a cross. I couldn't say it was the same one. But I know there was a cross and it was burned about an hour after we closed.

Mr. MANUEL. Prior to the burning of that cross, did you observe at the same meeting Mr. Ferguson call several Klansmen over in the corner, as was done in the incident concerning the mayor in Vanceboro?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. During the month of September, Mr. Williams, was there any other incident regarding a threatened beating or intimidation of a person in Greenville?

Mr. WILLIAMS. There was a small boy, or he was a young boy, a man, but he was retarded.

Mr. MANUEL. Mentally retarded?

Mr. WILLIAMS. Yes, sir. I know they did not beat him. They went out and after they got him they talked to him and warned him if he was caught in the company of colored people again they would come back and get him.

Mr. MANUEL. Were Mr. Charles Edwards and Mr. Harry Ferguson the ones who did this?

Mr. WILLIAMS. Yes.

Mr. MANUEL. And they were officers, again, at that time in the Realm of North Carolina?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Mr. Williams, in November of 1965, do you have any knowledge of the beating of another Klansman from another unit?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you please explain to the committee your knowledge in that regard?

Mr. WILLIAMS. This was a boy, was a young fellow. He is a man, but he was a young fellow in the Greenville Unit, Benevolence Association.

Mr. MANUEL. What was his name?

Mr. WILLIAMS. All I know is Langston.

Mr. MANUEL. L-a-n-g-s-t-o-n?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Proceed.

Mr. WILLIAMS. The way I found out about this, the sheriff come to me, come to my house one night, or sent two deputies to my house to question me of a shooting between the two units along the highway, a shooting that occurred when from one car a fellow shot another one, and they indicted each other. So I——

Mr. MANUEL. You mean they made a complaint against each other?

Mr. WILLIAMS. Yes, sir. I told the sheriff I didn't know what you are talking about, and he said the shooting took place Monday night between the Klan in Pactolus Unit and the Klan in the Greenville Unit, and I said I still didn't know "what you are talking about, Sheriff."

Mr. MANUEL. Did the sheriff come to you as a suspect in this case?

Mr. WILLIAMS. Yes, sir. He said, "How about the beating, from which unit did it occur?" I said, "I don't know of no beating." Then he told me about the beating, that seven men went to this young fellow's house and whupped him. After they whupped him, the Greenville Klavern started putting guards at his house at night. While one of the guards was going off duty he started home and the car from Pactolus Unit followed him and, about 4 miles from Greenville, shot in the back of his car. And he told that they passed him and went by, and as he followed them they turned up a dirt road, which he said he knew that he had to come back out of to get out on the highway. So he parked right where they would come out and he said as they come out he threwed his lights and emptied his gun on the side of the car.

Mr. MANUEL. So one Klansman in the Pactolus Unit is shooting at another Klansman from the Greenville Unit. Is that correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And this resulted, as I understand it, in the members from the Pactolus Unit beating a man named Langston from the Greenville Unit?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. For what reason was Mr. Langston beaten by Klansmen?

Mr. WILLIAMS. There was a boy in the Klan, the security guard captain, was throwed out of the Klan unit in Greenville.

Mr. MANUEL. What was his name?

Mr. WILLIAMS. David Bunting.

Mr. MANTEL B-u-n-t-i-n-g?

Mr. WILLIAMS. That is right. They threw him out of the Klan unit in Greenville while I was in there.

Mr. MANTEL. For what reason was he expelled?

Mr. WILLIAMS. They claimed he was passing information to the law.

Mr. MANTEL. Proceed.

Mr. WILLIAMS. So after we set up the unit in Pactolus, we took David Bunting into the Pactolus Unit. So when we took him in, the Greenville Unit was discussing taking David back in the Klan. And the boy leading [the discussion] said he didn't see why because there wasn't nothing to him, "He won't even provide for his family."

Mr. MANTEL. Langston was talking about Bunting. Is that correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANTEL. Proceed.

Mr. WILLIAMS. So somebody in that unit told David about it. So he goes to the Pactolus Unit and tells Harry Ferguson, that resulted from the beating.

Mr. MANTEL. Harry Ferguson at that time held what position in the Pactolus Unit?

Mr. WILLIAMS. He was the EC of the Pactolus Unit.

Mr. MANTEL. Now, Mr. Williams, did you subsequently find out who was involved in the beating of Mr. Langston from the Greenville Unit?

Mr. WILLIAMS. Only a few of them. I knew there was some of them, but Mr. Ferguson was the one that said didn't nobody beat him excepting him.

Mr. MANTEL. Meaning Mr. Ferguson beat him?

Mr. WILLIAMS. Yes.

Mr. MANTEL. He admitted this to you?

Mr. WILLIAMS. At my house.

Mr. MANTEL. At your house?

Mr. WILLIAMS. Yes.

Mr. MANTEL. Who else was present, Mr. Williams, when Mr. Ferguson made this admission?

Mr. WILLIAMS. There was two, the men were arrested for the shooting.

Mr. MANTEL. Do you know the identity of those two men?

Mr. WILLIAMS. Yes, sir, but—

Mr. MANTEL. O.K.

Mr. WILLIAMS. David Bunting was there. They were at my house when it was brought out that I asked Mr. Ferguson, I said, "Harry, Mr. Ferguson, I want to know did you send seven men over after that boy?" He said, "Seven of us went, but nobody beat him but me." He said, "I told Bob Jones that nobody hit him but me."

Mr. MANTEL. So he even admitted this to Mr. Jones, who is the Grand Dragon?

Mr. WILLIAMS. Yes, sir.

Mr. MANTEL. To your knowledge, Mr. Williams, what action did Mr. Jones, the Grand Dragon, take with regard to the complaints that were made by the Klansmen involved in the shooting?

Mr. WILLIAMS. He told them to withdraw the warrants and handle it among the Klan.

Mr. MANUEL. For what reason?

Mr. WILLIAMS. He didn't want the publicity.

Mr. MANUEL. He didn't want the publicity?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Mr. Williams, what was your own reaction to the admission by Mr. Ferguson that this action had been taken against a fellow Klansman?

Mr. WILLIAMS. After he told me he did, I told him, I said, "As of now, I am through with this mess. I don't want nothing to do with you-all, and you-all let me alone. I won't bother you, and don't you bother me." I said, "I am disgusted with you."

Mr. MANUEL. At that time you left the United Klans of America?

Mr. WILLIAMS. Yes.

The CHAIRMAN. About when was that?

Mr. WILLIAMS. November 15. The shooting was on November 15.

Mr. MANUEL. Mr. Williams, do you have any further knowledge of the activities of Harry Ferguson and the Pactolus Unit of the United Klans of America after you left the Klan?

Mr. WILLIAMS. Yes, sir. They turned their resignation in to the Knights of the Ku Klux Klan and have changed over to James "Catfish" Cole's Carolina Ku Klux Klan.

Mr. MANUEL. Could you identify for the committee Mr. James "Catfish" Cole?

Mr. WILLIAMS. Mr. Cole was the man that was in charge of the Klan that was in Lumberton at a rally the Indians went in to break up and they got to shooting each other.

Mr. MANUEL. Did he, as a matter of fact, serve a term in jail for that incident?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Does he now, to your knowledge, have a Klan organization in North Carolina?

Mr. WILLIAMS. Yes, sir. He has the Carolina Klan. He is the Imperial Wizard of the Carolina Klan, and Jesse MacBunning of Greenville is the Grand Dragon of the Carolina Klan.

Mr. MANUEL. As I understand, your testimony is that Mr. Harry Ferguson has left the United Klans of American with the Pactolus Unit and joined Mr. Catfish Cole's Carolina Ku Klux Klan organization?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Do you happen to know for what reason Ferguson and his group left to join Mr. Cole?

Mr. WILLIAMS. I don't know for sure, but I know that during the trouble they were having, so much trouble, and kept calling Mr. Jones, he got to the place he wouldn't pay them no mind about this trouble they were having among each other.

Mr. MANUEL. Mr. Williams, have you ever received any threats from persons known to you to be members of the Ku Klux Klan after you left the organization?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you please explain to the committee what threats and under what circumstances?

Mr. WILLIAMS. I have had three phone calls Sunday. Two of them I did not recognize who they were.

Mr. MANUEL. When you say Sunday, you mean last Sunday?

Mr. WILLIAMS. Yes, sir. But the third man that called me I knew just as soon as he spoke who he was.

Mr. MANUEL. Who was that man?

Mr. WILLIAMS. David Bunting.

Mr. MANUEL. Whom you knew to be a member of the United Klans of America, now a member of Mr. Catfish Cole's Carolina Ku Klux Klan organization?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. You told the committee previously that you terminated your membership in the Ku Klux Klan in November of 1965, and these threats came last Sunday—January 1966?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. Would you explain to the committee why you were threatened at that particular time, since you had left the Klan in November of 1965?

Mr. WILLIAMS. I don't know for sure why, but I was at a cafe on Friday night, tonight a week ago, and it was brought out that Harry Ferguson was at a Good Neighbor Council, East Carolina College, and the chief of police recognized him, and after the chief made his speech he said, "I see we have one of our Klan leaders here." He said, "Maybe he would like to say a few words."

And he said, Ferguson said, "He had never been a leader of anything but a mule."

Mr. MANUEL. At that time, Mr. Williams, was the chief of police of Greenville speaking against the Ku Klux Klan?

Mr. WILLIAMS. No, sir. He said he recognized one of the Klan leaders, that maybe he would like to say a few words.

Mr. MANUEL. In discussing Klan activities?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What happened after that?

Mr. WILLIAMS. The man got mad and told the chief that he had never led anything but a mule.

Mr. MANUEL. And he never led the Ku Klux Klan?

Mr. WILLIAMS. Yes, sir. I was setting in there when this man told us this, and I said—no. Some of them mentioned and said Ferguson said that he would make the chief prove that he was a leader of the Knights of the Ku Klux Klan or he would sue the chief. So I made a remark. I said, "Well, they had better call me because I served under him when I was in the Klan." So the following Sunday I received these phone calls.

Mr. MANUEL. It was after this you received the threatening phone call?

Mr. WILLIAMS. Yes.

The CHAIRMAN. I think the record should be straightened a little bit. You said the chief was making a speech. Where?

Mr. WILLIAMS. At a Good Neighbor Council meeting. I don't know the name. This fellow here (indicating press) could tell you more about it.

The CHAIRMAN. As far as you know, was that or was that not a Klan meeting?

Mr. WILLIAMS. No, sir; it was a Good Neighbor Council meeting.

The CHAIRMAN. And was the chief talking, or had he said anything in favor of the Klan during his talk; do you know?

Mr. WILLIAMS. No, sir. The chief is 100 percent against the Klan.

The CHAIRMAN. I want the record to be clear either way. I am glad it is clear that way.

Mr. MANUEL. Now, Mr. Williams, going to the Pactolus Unit of the United Klans of America——

The CHAIRMAN. Let me go back to that incident. It is now related to me that probably during the talk by the chief of police he was, in fact, talking against the Klan, and then he said something like, "By the way, I see one of their leaders here who can talk." Was that about your understanding?

Mr. WILLIAMS. The way this fellow said it, he said the chief said, "I see in our audience we have one of our Klan leaders" and said maybe he would like to say a few words.

The CHAIRMAN. All right.

Mr. MANUEL. Now, Mr. Williams, going back to the Pactolus Unit of the United Klans of America, which you have previously testified that you joined in approximately October of 1965, you identified Mr. Harry Ferguson as the exalted cyclops of that unit. Is that correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. To your knowledge, is he currently acting as exalted cyclops of the Pactolus Klavern?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. From your direct knowledge, sir, would you identify for the committee the other officers of the Pactolus Klavern as they were when you were a member of that organization?

Mr. WILLIAMS. Yes, sir. Harry Ferguson was EC. Bobby Wadford was the assistant.

Mr. MANUEL. Was the Klaliff?

Mr. WILLIAMS. Yes, the assistant.

The klokard was David Bunting.

Mr. MANUEL. And David Bunting, as I understand it, was one of the persons known to you to have made the threat over the telephone. Is that correct?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. On your life?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What did Mr. Bunting tell you over the telephone that let you know that he was intimidating you?

Mr. WILLIAMS. As soon as he spoke I told him, I said, "David, you can talk like you ought to. I know who you were when you spoke your first word." He said, "We will be looking for you." He said the big man has put the word out "to get you and we will be after you."

Mr. MANUEL. Who did you take it he meant by "big man"?

Mr. WILLIAMS. Harry Ferguson.

Mr. MANUEL. Did he say anything else?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. What was your reaction or your comments to Mr. Bunting?

Mr. WILLIAMS. At that time, I told him, I said, "You are not going to have to look for me." I said, "I will be in front of your brother's place in 5 minutes." I got in my car, I rode by. They were in the station. I rode by east. I went about a half a mile down the road. I turned around, came back by. I went about a hundred yards more down to the next station. I turned and come back by. They never did come out.

The CHAIRMAN. And they won't.

Mr. MANTEL. Have you received any other threats subsequent to that phone call and the subsequent incidents which you have related?

Mr. WILLIAMS. Two before.

Mr. MANTEL. And would you explain to the committee the nature of those threats?

Mr. WILLIAMS. A voice on there said—the first one, I answered the phone, and the man when I answered the phone said, "George!" I said, "Yes." He said, "The man has put the word out to get you and we will be looking for you."

Mr. MANTEL. Did you recognize in any way the person who was calling?

Mr. WILLIAMS. No, sir.

Mr. MANTEL. What was the nature of the second call to which you referred?

Mr. WILLIAMS. My daughter answered the phone, and she said, "Daddy, some man wants to talk to you." And I went to the phone, and he said, "George, the man has put the word out. We are coming after you."

Mr. MANTEL. At the time you left the United Klans of America, and that was, as you testified, approximately November 15, 1965?

Mr. WILLIAMS. Yes.

Mr. MANTEL. Were any threats made at that time against you?

Mr. WILLIAMS. No, sir, not directly threats. They was telling me, a few of them, what they could do, that I knew what they could do. I said, "Well, I am not afraid."

Mr. MANTEL. Did they tell you specifically what they could do? And if not, what did you take that to mean?

Mr. WILLIAMS. They didn't come out and say what they could do, they just said I knew what they could do.

Mr. MANTEL. Who were the individuals that said that?

Mr. WILLIAMS. Different ones that belong to the Klavern.

Mr. MANTEL. Did Mr. Ferguson ever directly say anything to you after you left?

Mr. WILLIAMS. Yes, sir. After the shooting, after I was questioned, that following weekend the two that was arrested was supposed to appear at the justice of the peace's office, Mr. Luther Moore. I went up there with them. After they laid the hearing over and came on outside, I said, "What are they going to do about this mess?" And Harry said, "I don't know, they laid it over."

He said about this, "What have they done to you?" I said, "They ain't done anything. They want me to take a lie test." He said, "Bob Jones said you had better take no lie test."

Mr. MANTEL. Bob Jones, the Grand Dragon, had sent that word to Mr. Ferguson?

Mr. WILLIAMS. I don't know. This is what Ferguson said to me on the street in the presence of the two men that had been arrested.

Mr. MANUEL. Did Mr. Ferguson give you a reason for this?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Did you subsequently take a lie detector test?

Mr. WILLIAMS. No, sir, but I told him, "If the sheriff takes me," I said, "I am going. If he thinks I am foolish enough to get out on the road and ride up and down the road shooting," I said, "I want to get straight of this mess and get out while the getting is good."

Mr. MANUEL. Mr. Williams, from your direct knowledge as an ex-member of the Ku Klux Klan, the United Klans of America specifically, could you tell the committee approximately how many active members currently are, to the last of your knowledge, in the area of Greenville, North Carolina?

Mr. WILLIAMS. I would say about 40 active members.

Mr. MANUEL. Do you have any knowledge as to how many the Klan itself carries on its books?

Mr. WILLIAMS. There was about 340.

Mr. MANUEL. 340?

Mr. WILLIAMS. Yes.

Mr. MANUEL. And to your knowledge, about 40 members are active?

Mr. WILLIAMS. Yes, sir. Most of the Klan, the people that get into the Klan go and join, and after they get in and find out what they are in, they don't never come back no more.

The CHAIRMAN. They go in and come out?

Mr. WILLIAMS. Yes, sir. After they go in, they have to give the \$10 to get in and they don't never see them no more. They don't never come back.

Mr. MANUEL. Mr. Williams, from your knowledge as a member of the Klan, would you please tell the committee what records are kept by Klaverns?

Mr. WILLIAMS. Well, they have a list of the names that is kept so that they can find out who is behind on their dues and such things as that. We have a list with the names that is kept.

Mr. MANUEL. Do they keep, to your knowledge, any financial records?

Mr. WILLIAMS. I have never heard any financial reports read, only what we had left in the bank, as to the Greenville Unit, but in the Pactolus Unit they read the records every night and brought in receipts and what was bought.

Mr. MANUEL. I would like to show you a photostatic copy of a check drawn on the account of the Benevolent Association of Greenville, North Carolina, dated October 22, 1965. The check is made out to cash and it is in the amount \$998.31. The notation on the check says it is for "attorney fees."

I would like to show you this check and have you tell us who signed it and what your knowledge of this particular check is.

Mr. WILLIAMS. It is signed by W. Hardin and L. H. Tyson and is for cash in the amount \$998 and some few cents for attorneys' fees. I have never heard of them.

(Check marked "George Williams Exhibit No. 5" follows:)

GEORGE WILLIAMS EXHIBIT No. 5

STATE OF MISSISSIPPI
 COUNTY OF HANCOCK
 IN SENATE
 TESTIMONY OF

Subscribed and sworn to before me this _____ day of _____
 19____
 For _____
 THE BANK OF MEMPHIS
 MEMPHIS, TENN.

CROSS-CHECK

Mr. MANUEL. Would you identify Mr. Hardin for the committee?

Mr. WILLIAMS. I don't know him.

Mr. MANUEL. You never heard of Mr. Hardin?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. To your direct knowledge did the Klan have attorneys in the first place to whom they could pay attorneys' fees?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Do you know what happened to that money?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. The check was made to cash and was cashed. You don't know what happened to the money?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Mr. Chairman, I would like to state to the committee that investigation has shown that on this same date, October 22, 1941, that account was closed at that particular bank.

The CHAIRMAN. Were there any criminal cases or other matters pending in the courts when they drew that check for lawyers' fees that you know of?

Mr. WILLIAMS. No, sir. It was never discussed.

Mr. MANUEL. Do you know that on that particular date as a matter of fact the account was closed at the bank?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Was that report made to the membership?

Mr. WILLIAMS. We were told we were broke.

Mr. MANUEL. And as a member, you did not know of the \$995 and some odd cents that was in the account at that time: is that correct?

Mr. WILLIAMS. No, sir; I didn't know about it.

Mr. MANUEL. Mr. Williams, as a member of the two units of the Ku Klux Klan, did you have any knowledge of money going directly from the Klavern to the office of the Grand Dragon, Mr. James Robertson Jones?

Mr. WILLIAMS. Only what Louis Tyson told me one time that he got most of the dues that were paid into the Klavern.

Mr. MANUEL. That is, Mr. Jones got most of the dues?

Mr. WILLIAMS. Yes.

Mr. MANUEL. Was that money paid directly to Mr. Jones, to your knowledge?

Mr. WILLIAMS. I don't know. He said it went to the State office.

Mr. MANUEL. Again, Mr. Williams, I would like to show you a series of checks which the committee has obtained by subpoena from The Bank of Winterville, Winterville, North Carolina, of the Benevolent Association of Greenville, North Carolina. This series of checks is made payable to James R. Jones, the first dated April 7, 1965, the last dated the 10th of September 1965 and they collectively total \$264.25.

I would like to show you this series of checks and ask you to identify the persons who signed those checks.

Mr. WILLIAMS. R. E. Everett and L. H. Tyson.

Checks marked "George Williams Exhibit No. 6." One of said checks follows; balance retained in committee files.)

GEORGE WILLIAMS EXHIBIT NO. 6

BENEVOLENT ASSOCIATION P. O. BOX 2203 EAST CAROLINA STATION GREENVILLE, NORTH CAROLINA		33
DATE <u>9-18</u> 19 <u>65</u> 56-472		
PAY TO THE ORDER OF <u>James R. Jones</u>		\$ <u>31.25</u>
<u>thirty one + 25/100</u>		DOLLARS
FOR _____		
THE BANK OF WINTERVILLE WINTERVILLE, N. C.		

R. E. Everett
L. H. Tyson

49066-0472

Mr. MANUEL. Were those persons known to you at that period of time to be officers in the Greenville Unit of the Ku Klux Klan?

Mr. WILLIAMS. Only one.

Mr. MANUEL. Did you know the other?

Mr. WILLIAMS. Only as a member.

Mr. MANUEL. Only as a member?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And to your knowledge he did not have, as an ordinary member, power to sign checks?

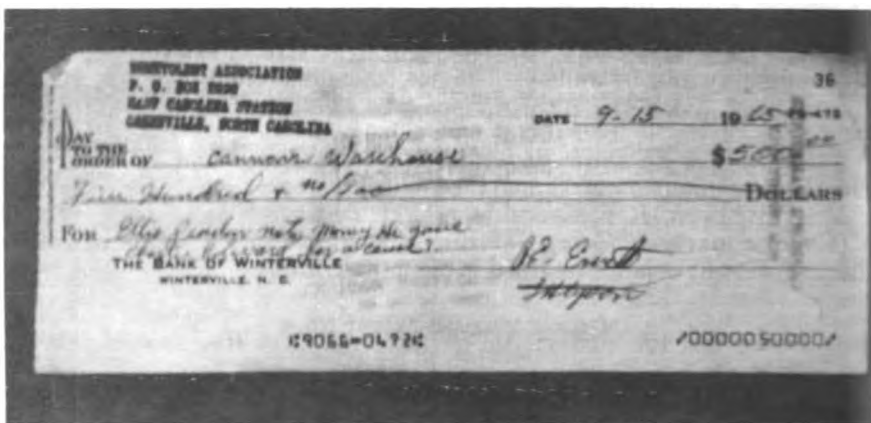
Mr. WILLIAMS. To my knowledge he didn't.

Mr. MANUEL. Thank you, sir.

Mr. Williams, I would like to show you one other check which was made on behalf of the Benevolent Association of Greenville, North Carolina, signed by R. E. Everett and L. H. Tyson in the amount of \$500, payable to Cannon's Warehouse. The notation on the check says: "Ellis Peaden note Money He gave Charles Edward a cause" and then there is a question mark. I would like to show you that check and ask you to explain the significance of the notation or whatever other knowledge you possess of that check.

Mr. WILLIAMS. This check was paid to somebody in Greenville that I loaned Charlie Edwards \$500 that Charlie had gone to and said he was one of the boys in the Klan were in jail and he needed the cash money to get them out because he didn't want nobody signing no bonds. But as far as Ellis Peaden, Ellis Peaden signed a note also for Charlie for \$1,000 with which he bought a car from Bright Leaf Motors for \$1,000. Check marked "George Williams Exhibit No. 7" follows:)

GEORGE WILLIAMS EXHIBIT No. 7



Mr. MANUEL. The Charles Edwards referred to was at that time a State officer of the Realm of North Carolina of the United Klans of America?

Mr. WILLIAMS. Yes, sir. I don't know who loaned him the money. I heard it discussed whether the Klan should pay it back or let the man get it out of Charlie Edwards. The Klan paid it back to keep the publicity out of the Klan.

Mr. MANUEL. As I understand, Mr. Edwards got \$500 out of Cannon's Warehouse which the Klan got back and \$500 from Mr. Peaden. and the sum he received, which totaled \$1,000, was used to purchase an automobile?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. What action did the Klan take concerning Mr. Edwards following this discovery?

Mr. WILLIAMS. They called Bob Jones and he had Mr. Edwards removed from the Klavern.

Mr. MANUEL. In other words, Mr. Edwards was removed by Mr. Jones for misappropriation of funds?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. And although to your knowledge Mr. Edwards was a leader of the Klan in Plymouth, North Carolina, he was not removed from the Klan for that reason?

Mr. WILLIAMS. No, sir.

Mr. MANUEL. Thank you, sir.

Mr. Willis, the staff has no further questions of this witness.

The CHAIRMAN. I have just one or two questions.

Mr. Williams, you said you joined the Klan because you had attended a meeting and had heard the speeches made and discussions to the effect that they stood for segregation of the races, or not a mixing of white and colored people; is that correct?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. And you believed in that?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. Later on you went to Plymouth and I think you said an incident occurred that you have described whereby, in whatever way it happened, you were shot by a colored man?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. But, despite that, you quit the Klan?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. Is that because you don't believe that klanism is the right way to go about this problem?

Mr. WILLIAMS. I believe now that Klan life is the lowest life that you can get. I would like to see any man that thought of joining the Klan, I wish he could see me before he got in. I would like to tell him what he is getting into.

The CHAIRMAN. It is just no good?

Mr. WILLIAMS. That is right.

Mr. MANUEL. Going back to the incident in Plymouth, Mr. Williams, who paid your hospitalization and doctor bills as a result of your being wounded?

Mr. WILLIAMS. The Klan paid.

Mr. MANUEL. And how did the Klan pay for this, to your knowledge?

Mr. WILLIAMS. Louis Tyson paid it by his personal check.

Mr. MANUEL. He was treasurer of your local unit at that time?

Mr. WILLIAMS. Yes, sir.

Mr. MANUEL. One other question: At the time you were a member of the Klan, was there at any time discussed in the Klan the fact that Klansmen should purchase weapons, guns?

Mr. WILLIAMS. Yes, sir. They told us we all should have a gun.

Mr. MANUEL. And for what reason were you urged to buy a gun?

Mr. WILLIAMS. For defense.

Mr. MANUEL. And how many times, approximately, did this subject come up while you were a member?

Mr. WILLIAMS. I couldn't say the exact number of times, but it was several times.

The CHAIRMAN. When you say for "defense," I would like to have you talk a little bit more about that because another witness who, like you, testified under oath and voluntarily, said that speeches were made and Klansmen were told that they had to be prepared because communism would take over and they would be the last to fight for the country, and all that claptrap. In what context, in what way, did they say you had to have guns for defense?

Mr. WILLIAMS. There were several discussions of colored people, known as the Deacons, they claimed was forming in eastern North Carolina and that they were arming to protect the colored people.

The CHAIRMAN. To protect themselves against the colored people?

Mr. WILLIAMS. No, to protect the colored people against the whites. It was discussed they were arming themselves as protectors of the colored people, who were colored people.

The CHAIRMAN. I am not sure I follow you.

Mr. WILLIAMS. There was a band of colored people known as the Deacons.

The CHAIRMAN. The Deacons. I have heard about them.

Mr. WILLIAMS. And they claimed they found out there was a lot of them formed in Elizabeth City and we should be prepared for them if they should come.

The CHAIRMAN. If the Deacons should attack the white people!

Mr. WILLIAMS. Yes.

The CHAIRMAN. I see.

Mr. MANUEL. Do you have any knowledge as to where the Klan or Klan members obtained their weapons?

Mr. WILLIAMS. No, sir; only in different places they could go where you could buy a gun without a permit. On one occasion they took collections on the floor and sent the money to some man in Norfolk, Virginia, to get Army rifles.

Mr. MANUEL. How much money was collected at that time?

Mr. WILLIAMS. I am not sure, but I heard about \$300.

Mr. MANUEL. Do you know or had you heard they did actually order guns from Norfolk, Virginia?

Mr. WILLIAMS. I heard they did, but I never seen any.

Mr. MANUEL. Did you yourself purchase one?

Mr. WILLIAMS. No, sir.

The CHAIRMAN. I believe you also said that one of the reasons you joined the Klan was because of something having to do with electing officials who were against integration. Is that correct?

Mr. WILLIAMS. Yes. In every rally that he goes to he is always urging them to start to voting people in office that will be white men, he said, because we need them in office now. He said to start with you little constable on up.

The CHAIRMAN. By that you mean people who believe somewhat like the Klan does?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. Maybe I am putting words in your mouth. What did they say about the election of public officials?

Mr. WILLIAMS. He said: "If you don't believe in mixing races, we want to vote out all of these colored lovers that we have in office."

The CHAIRMAN. You mean white colored lovers?

Mr. WILLIAMS. Well, he didn't come out that way.

The CHAIRMAN. What did he say?

Mr. WILLIAMS. He said he wanted to start down with the little constable and put white men in office.

The CHAIRMAN. Good red-blooded American citizens, according to his thinking?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. I don't know how much they love me, but I will tell you one thing—and I said this on the floor—there was a plan to select a Klansman in my district to defeat me, and the very first witness on the stand was Imperial Wizard Robert M. Shelton, and I read to him a report I had on that score and I told him I welcomed him and challenged him and dared him. Then I had some phone calls, too, that were not as bad as yours. But the veil is off and the secret is out, and that will just make a lot of noise. They will not do a thing to me and I will not do a thing to you.

There is a Federal law, and I will read it to you. That Federal law reads—and I will omit words that are unnecessary:

Whoever * * * intimidate[s] * * * any witness * * * in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress; or

* * * * *
Shall be fined not more than \$5,000 or imprisoned not more than five years or both. * * *

Now, you are appearing here under subpoena. You have that Federal law to protect you. Nothing will happen. Don't you worry. I am glad you told that guy, "You know where I am. I will meet you in 5 minutes." Nobody showed up and nobody will show up.

I have said this before, and I will say again, I congratulate you. I think you have shown fortitude and courage and common ordinary guts in coming here and saying what you did, and you are making a great contribution to your country. And I repeat what I said on the floor yesterday, others will follow suit. I am just as sure about that as I am sitting here, and I am very sure the Klans are reducing and I hope and think they soon will be folding up. A lot of the members are not attending meetings, a lot of them are quitting, and that will continue. I appreciate your appearance.

Mr. ASHBROOK. I certainly join in what the chairman said and I would say, in your activities you have had up to this time and many beliefs you have had that we might not agree with, you stand at least 10 feet taller than those members of the Klan who will be derogatory of you.

On the one cited incident of violence you testified to, I would like some amplification. Aside from the specific instructions you received—I believe you said there were eight men appointed to carry out this specific act—was there any indication at that time or later which would lead you to believe this was at the behest of any State or national leaders of the Klan, or was it strictly a local project?

Mr. WILLIAMS. Mr. Edwards told us the Vanceboro Unit wanted this done. When they want a job done, they generally bring somebody else from another unit to do it.

Mr. ASHBROOK. So it would be your impression or understanding that this was done not by your local Klan organization, but at the behest of higher-ups, so to speak?

Mr. WILLIAMS. Yes, sir.

Mr. ASHBROOK. Then there wasn't any repercussion, I believe you stated, insofar as it was not specifically carried out?

Mr. WILLIAMS. No, sir.

Mr. ASHBROOK. That is all I had, Mr. Chairman.

The CHAIRMAN. Mr. Senner.

Mr. SENNER. Mr. Williams, what did you say Harry Ferguson's occupation is?

Mr. WILLIAMS. He is a farmer.

Mr. SENNER. And Edwards?

Mr. WILLIAMS. He was a logger and at the time he was in the Klan he was chief of police of Grimesland.

Mr. SENNER. Who was the justice of the peace?

Mr. WILLIAMS. Louis Tyson.

Mr. SENNER. Is he the individual you identified as the signatory of one of the checks?

Mr. WILLIAMS. Yes.

Mr. SENNER. Is he still a justice of the peace?

Mr. WILLIAMS. Yes.

Mr. SENNER. Is that an elective position or an appointive position?

Mr. WILLIAMS. He is elected.

Mr. SENNER. Has his identity with the Klan been publicly exposed except the speech of the chief of police that was made the other day?

Mr. WILLIAMS. No, sir.

Mr. SENNER. When you talked to Grand Dragon J. R. Jones relative to the possibility of being subpoenaed here, were you subpoenaed in fact by this committee?

Mr. WILLIAMS. Not then.

Mr. SENNER. Not then?

Mr. WILLIAMS. No, sir.

Mr. SENNER. What did Mr. Jones state to you at the time you had the conversation with him?

Mr. WILLIAMS. He said he did not know whether I would be subpoenaed or not, but if I did to get in touch with him and he would tell me what to do.

Mr. SENNER. What was the date of that conversation? What I am trying to establish is whether Mr. J. R. Jones had been subpoenaed at the time you had this conversation with him.

Mr. WILLIAMS. He had been subpoenaed.

Mr. SENNER. He had been subpoenaed?

Mr. WILLIAMS. Yes, sir.

Mr. SENNER. Do you recall the date of the conversation?

Mr. WILLIAMS. No, sir.

Mr. SENNER. But it was the date you were holding a rally?

Mr. WILLIAMS. Yes, sir.

Mr. SENNER. And had you been subpoenaed when you received the telephone call with this threat from David Bunting?

Mr. WILLIAMS. No, sir.

Mr. SENNER. Which was last Sunday?

Mr. WILLIAMS. Yes, sir.

Mr. SENNER. You had not received a subpoena at that time?

Mr. WILLIAMS. No, sir.

Mr. SENNER. And you testified under oath that to your knowledge Charles Edwards is still a Klansman although he is not in the United Klans of America but in the North Carolina Klans?

Mr. WILLIAMS. Charlie Edwards was kicked out of the Klan for misusing money.

Mr. SENNER. Has he joined Catfish Cole?

Mr. WILLIAMS. No.

Mr. SENNER. That is all.

Mr. MANUEL. Mr. Chairman, I would like to make a comment on the record that in going over certain facts with Mr. Williams he identified for the committee additional Klaverns which operate in

province he operated in, and I would like to identify the Klaverns he cited for us:

In Pitt County, the Pactolus Unit, of which he was a member.

In Washington County, Plymouth Unit.

In Beaufort County, Belhaven Unit.

In Hyde County, Swanquarter Unit.

In Greene County, Walstonburg Unit.

In Chowan County, a Klavern at Edenton.

I would like also to state for the record that continuing investigation of the activities of the United Klans of America by this committee has established that two individuals whom Mr. Williams touched on, Boyd Hamby and George Dorsett, both former realm officers of the North Carolina Realm of the Ku Klux Klan of America, have been assigned to act as organizers in the State of Florida and are operating out of Titusville, Florida.

The CHAIRMAN. Is Mr. Dorsett one of the Klansmen who has been cited for contempt?

Mr. MANUEL. Yes, sir; and he is also an imperial officer of the United Klans of America.

The CHAIRMAN. Mr. Buchanan.

Mr. BUCHANAN. Mr. Williams, you are obviously a man of honesty and courage and I thank you for your testimony before this committee. Frankly, sir, you have made more sense to me than the entire higher echelon of the United Klans of America put together to date, at least in their statements that have come to my attention.

One of these statements is printed here in a newspaper article I have. This is called the *Fiery Cross* and is supposed to be the official publication of the United Klans of America. It is the first one I have ever seen and may be the first one ever produced, but in it is a story from Mr. Shelton's point of view of the testimony of various members of his organization before this committee. And on the front page is a memorandum from Imperial Wizard Shelton which includes these words concerning the United Klans:

Our dedication to God, our country, our flag, our homes, and our loyalty to the principles of Constitutional Government IS NOT FOR SALE OR OPEN TO NEGOTIATION.

Steadfast in devotion to principles the UKA has been in [sic] now, and forever will be regardless of intimidation, harrassment [sic], name-calling and threats. Ours is a righteous cause, and all the Legions of Hell cannot prevail against it.

Would this, in your opinion, be an accurate picture of the United Klans of America?

Mr. WILLIAMS. No, sir.

(Document marked "George Williams Exhibit No. 8" follows:)

GEORGE WILLIAMS EXHIBIT No. 8

{The Fiery Cross, p. 1}



Memorandum

To: All Members of the United Klans of America

Subject: THE ROAD AHEAD

HUAC (The House Committee on Un-American Activities), succumbing to the urging of a panic-stricken staff which sees its house of cards crumbling before its very eyes, has voted to recommend contempt citations against me and six other officials of the UKA.

This frantic action was taken in an effort to arm the staff with another weapon of intimidation against witnesses scheduled to appear before the Committee in the future. I confidently predict it will prove to be another dud. Klansmen — with few exceptions — are men of honor and integrity, and regard their oath as sacred.

Only a man who already has the blood of Judas running through his veins will fall for this newest intimidation gimmick and become a pitiful victim of the false promises and look-out-or-the-goblins-will-get-you threats

of the HUAC.

Over the weekend I have been in communication, by telephone and otherwise, with all Dragons and the loyal, dedicated Imperial Officers of the UKA; and instructions are going out — North, South, East and West — to step up, despite adverse winter weather conditions — rallies and public speaking. This is no time to slow down activities.

This is no time to go to sleep at the switch in the struggle against the evils of Communism. Civil Rights' defiance of law and order, draft card burners and other traitors to the principles of government upon which our nation was built.

Now IS THE TIME to rededicate ourselves — as individuals and as a group — to the objectives which led us to become Klansmen in the first place.

Gird your loins for the continuing fight against International and native-cultured Communism, regardless of whether it is found in government, honey-combed in Civil Rights Groups, or among card-burning, traitorous draft dodging beatniks. Let's fight, as we have never fought before, for our God-given heritage.

Let no man or group of men be misled into thinking we will be detoured from our course and dedication. Our dedication to God, our country, our flag, our homes, and our loyalty to the principles of Constitutional Government IS NOT FOR SALE OR OPEN TO NEGOTIATION.

Steadfast in devotion to principles the UKA has been in now, and forever will be regardless of intimidation, harassment, name-calling and threats. Ours is a righteous cause, and all the Legions of Hell cannot prevail against it.

Robert M. Shelton,
Imperial Wizard.

WE SHALL NOT BE INTIMIDATED

Mr. BUCHANAN. I thank you for your testimony.

The CHAIRMAN. Thank you very much, Mr. Williams. You are excused.

The subcommittee will stand in recess until 10 a.m., Tuesday, February 1, 1966.

(Whereupon, at 4 p.m., Friday, January 28, 1966, the subcommittee recessed to reconvene Tuesday, February 1, 1966.)



